

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by 1st submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Due to time restraints, the Secretary of State's Office will no longer edit the text of proposed rules. We will continue to make numbering and labeling changes as necessary.

Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for adoption, amendment, or repeal of any rule. A.R.S. §§ 41-1013 and 41-1022.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 23. BOARD OF PHARMACY

PREAMBLE

- | | |
|------------------------------------|---------------------------------|
| 1. <u>Sections Affected</u> | <u>Rulemaking Action</u> |
| R4-23-110 | Amend |
| R4-23-704 | Repeal |
| R4-23-706 | Repeal |
| R4-23-707 | Repeal |
| R4-23-708 | Repeal |
| R4-23-709 | Repeal |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 32-1904(A)(1)
Implementing statutes: A.R.S. §§ 32-1904(A)(1) and 32-1904(B)(3)
- 3. A list of all previous notices appearing in the Register addressing the proposed rules:**
Notice of Rulemaking Docket Opening (Article 7): 3 A.A.R. 328, January 31, 1997.
Notice of Rulemaking Docket Opening (Section R4-23-110): 3 A.A.R. 1990, July 25, 1997.
Notice of Rulemaking Docket Opening (Section R4-23-110): 3 A.A.R. 234.
Notices of Proposed Rulemaking (R4-23-110 and Article 7): 4 A.A.R. 2001, July 31, 1998.
Notice of Termination of Rulemaking: 4 A.A.R. 3006, October 16, 1998.
Notice of Rulemaking Docket Opening: 4 A.A.R. 3046, October 16, 1998.
Notice of Proposed Rulemaking: 4 A.A.R. 3080, October 23, 1998.
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Dean Wright, Compliance Officer
Address: Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015
Telephone: (602) 255-5125, Ext. 131
Fax: (602) 255-5740
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
The rule seeks to repeal the Sections R4-23-704, R4-23-706, R4-23-707, R4-23-708, and R4-23-709. These Sections establish requirements for medical facilities in industrial and business organizations. The present rules were last amended over 20 years ago and the need for Board of Pharmacy oversight no longer exists. Because of a lack of manpower, the Board has not actively enforced these rules in over 10 years. The rule amends Section R4-23-110 by striking the following definitions: "first-aid stations", "industrial medical stations", "occupational health", and "industrial medicine". These definitions are only used in the Sections being repealed and are no longer necessary.

The Board believes the repeal of these rules will relieve affected businesses from burdensome and outdated record keeping requirements without compromising public health and safety. Existing statutes and rules governing the practice of the health

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professionals (physicians, physician assistants, registered nurse practitioners, and registered nurses) serving these businesses are sufficient to protect the public health. The Board further believes that specific regulation and enforcement are not necessary to protect the public health when drugs are supplied by health professionals in the work environment.

6. A showing of good cause why the rules are necessary to promote a statewide interest if the rule will diminish a previous grant of a political subdivision of the state:
Not applicable.
7. The preliminary summary of the economic, small business, and consumer impact:
The proposed rulemaking is exempt from writing an economic, small business, and consumer impact statement pursuant to A.R.S. § 41-1055(D)(3).
8. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:
Name: Dean Wright, Compliance Officer
Address: Board of Pharmacy
5060 North 19th Avenue, Suite 101
Telephone: (602) 255-5125, Ext. 131
Fax: (602) 255-5740
9. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule; or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:
Comments may be written or presented orally. Written comments must be received by 5 p.m., Monday, November 23, 1998. An oral proceeding is scheduled for:
Date: November 23, 1998
Time: 10 a.m.
Location: Board of Pharmacy
5060 North 19th Avenue, Suite 101
Phoenix, Arizona 85015

A person may request information about the oral proceeding by contacting the person listed above.
10. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.
11. Incorporations by reference and their location in the rules:
None.
12. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 23. BOARD OF PHARMACY

ARTICLE 1. ADMINISTRATION

Section
R4-23-110 Definitions

**ARTICLE 7. NON-PHARMACY LICENSED OUTLETS -
GENERAL PROVISIONS**

R4-23-704 ~~Requirements for Medical Facilities in Industrial
and Business Organizations~~
R4-23-706 ~~Purchasing and Obtaining Drugs~~
R4-23-707 ~~Limitation of Acts Permitted~~
R4-23-708 ~~Proprietary Drugs~~
R4-23-709 ~~Notice of Location and Inspection~~

ARTICLE 1. ADMINISTRATION

R4-23-110. Definitions

"Active ingredient" means any component that furnishes pharmacological activity or other direct effect in the diagnosis, cure, mitigation, treatment, or prevention of disease or that affects the structure or any function of the body of man or other animals. The term includes those components that

may undergo chemical change in the manufacture of the drug, that are present in the finished drug product in a modified form, and that furnish the specified activity or effect.

"Authentication of product history" means identifying the purchasing source, the ultimate fate, and any intermediate handling of any component of a radiopharmaceutical or other drug.

"AZPLEX" means an Arizona pharmacy law examination written and administered by the Board staff or a Board-approved national pharmacy law examination written and administered in cooperation with NABP.

"Batch" means a specific quantity of drug that has uniform character and quality, within specified limits, and is produced according to a single manufacturing order during the same cycle of manufacture.

"Beyond-use date" means a date determined by a pharmacist and placed on a prescription label at the time of dispensing to indicate a time beyond which the contents of the prescription are not recommended to be used.

"Biological safety cabinet" means a containment unit suitable for the preparation of low to moderate risk agents where there

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is a need for protection of the product, personnel, and environment, consistent with National Sanitation Foundation (NSF) standards, published in the National Sanitation Foundation Standard 49, Class II (Laminar Flow) Biohazard Cabinetry, NSF International P. O. Box 130140, Ann Arbor, MI, revised June 1987 edition, (and no future amendments or editions), incorporated by reference and on file with the Board and the office of the Secretary of State.

"Class 100 environment" means an atmospheric environment in compliance with the Federal Standard 209 Clean Room and Work Station Requirements: Controlled Environment, publication FED-STD-209D, U.S. Government Services Administration 450 Golden Gate Avenue, San Francisco, CA, June 15, 1988 edition which includes January 28, 1991, changes, (and no future amendments or editions), incorporated by reference and on file with the office of the Secretary of State.

"Community pharmacy" means any place under the direct supervision of a pharmacist where the practice of pharmacy occurs or where prescription orders are compounded and dispensed other than a hospital pharmacy or a limited service pharmacy.

"Component" means any ingredient used in compounding or manufacturing drugs in dosage form, including an ingredient that may not appear in the finished product.

"Container" means:

A receptacle, as described in the official compendium or the federal act, that is used in manufacturing or compounding a drug or in distributing, supplying, or dispensing the finished dosage form of a drug; or

A metal receptacle designed to contain liquefied or vaporized compressed medical gas and used in manufacturing, transfilling, distributing, supplying, or dispensing a compressed medical gas.

"Correctional facility" has the same meaning as in A.R.S. §§ 13-2501 and 31-341.

"Current good compounding practices" means the minimum standards for methods used in, and facilities or controls used for, compounding a drug to ensure that the drug has the identity and strength and meets the quality and purity characteristics it is represented to possess.

"Current good manufacturing practice" means the minimum standard for methods used in, and facilities or controls used for manufacturing, processing, packing, or holding a drug to ensure that the drug meets the requirements of the federal act as to safety, and has the identity and strength and meets the quality and purity characteristics it is represented to possess.

"Cytotoxic" means a pharmaceutical that is capable of killing living cells.

"Day" means a calendar day unless otherwise specified.

"Delinquent license" means a pharmacist or intern license the Board suspends for failure to renew or pay all required fees on or before the date the renewal is due.

"Drug sample" means a unit of a prescription drug that a manufacturer provides free of charge to promote the sale of the drug. No person shall sell, purchase, or trade or offer to sell, purchase, or trade a drug sample.

"Extreme emergency" means the occurrence of a fire, water leak, electrical failure, public disaster, or other catastrophe constituting an imminent threat of physical harm to pharmacy personnel or patrons.

"FDA" means the Food and Drug Administration, a federal agency within the United States Department of Health and Human Services, established to set safety and quality stan-

dards for foods, drugs, cosmetics, and other consumer products.

"First aid stations" means units within a business or industrial organization which are limited to, as the name implies, first aid treatment of injuries incurred in association with the business function.

"Inactive ingredient" means any component other than an "active ingredient" present in a drug.

~~"Industrial medical stations" means units where drugs are stored, established within businesses and industrial organizations.~~

"Internal test assessment" means performing quality assurance or other procedures necessary to ensure the integrity of a test.

"Limited-service correctional pharmacy" means a limited-service pharmacy, as defined in A.R.S. § 32-1901, that:

 Holds a current Board permit under A.R.S. § 32-1931;

 Is located in a correctional facility; and

 Uses pharmacists, interns, and support personnel to compound, produce, dispense, and distribute drugs.

"Limited-service mail-order pharmacy" means a limited-service pharmacy, as defined in A.R.S. § 32-1901, that holds a current Board permit under A.R.S. § 32-1931 and dispenses a majority of its prescription medication or prescription-only devices by mailing or delivering the prescription medication or prescription-only device to an individual by the United States mail, a common or contract carrier, or a delivery service.

"Limited-service nuclear pharmacy" means a limited-service pharmacy, as defined in A.R.S. § 32-1901, that holds a current Board permit under A.R.S. § 32-1931 and provides radiopharmaceutical services.

"Limited-service pharmacy permittee" means a person who holds a current limited-service pharmacy permit in compliance with A.R.S. §§ 32-1929, 32-1930, 32-1931, and A.A.C. R4-23-606.

"Long-term care consultant pharmacist" means a pharmacist providing consulting services to a long term care facility.

"Lot" means a batch or any portion of a batch of a drug, or if a drug produced by a continuous process, an amount of drug produced in a unit of time or quantity in a manner that assures it uniformity. In either case, a lot is identified by a distinctive lot number and has uniform character and quality with specified limits.

"Lot number" or "control number" means any distinctive combination of letters or numbers, or both, from which the complete history of the compounding or manufacturing, control, packaging, and distribution of a batch or lot of a drug can be determined.

"Materials approval unit" means any organizational element having the authority and responsibility to approve or reject components, in-process materials, packaging components, and final products.

"Mediated instruction" means information transmitted via intermediate mechanisms such as audio or video tape or telephone transmission.

"NABP" means National Association of Boards of Pharmacy.

"NABPLEX" means National Association of Boards of Pharmacy Licensure Examination.

"NAPLEX" means North American Pharmacist Licensure Examination.

"Occupational Medicine" or "Industrial Medicine" means the field of medicine dealing with the medical conditions associated with persons employed in any occupation.

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"Outpatient" means a person who is not a residential patient in a health care institution.

"Outpatient setting" means a location that provides medical treatment to an outpatient.

"Patient profile" means a readily retrievable, centrally located information record that contains patient demographics, allergies, and medication profile.

"Pharmaceutical care" means the provision of drug therapy and other pharmaceutical patient care services intended to achieve outcomes, related to the cure or prevention of a disease, elimination or reduction of a patient's symptoms, or arresting or slowing of a disease process, by identifying and resolving or preventing potential and actual drug-related problems.

"Pharmacy law continuing education" means a continuing education activity that addresses practice issues related to state or federal pharmacy statutes, rules, or regulations, offered by an Approved Provider.

"Prepackaged drug" means a drug that is packaged in a frequently prescribed quantity, labeled in compliance with A.R.S. §§ 32-1967 and 32-1968, stored, and subsequently dispensed by a pharmacist or a graduate intern or pharmacy intern under the supervision of a pharmacist, who verifies at the time of dispensing that the drug container is properly labeled, in compliance with A.R.S. § 32-1968, for the patient.

"Provider pharmacist" means a pharmacist who supplies medication to a long term care facility and maintains patient profiles.

"Radiopharmaceutical" means any drug that emits ionizing radiation and includes:

Any nonradioactive reagent kit, nuclide generator, or ancillary drug intended to be used in the preparation of a radiopharmaceutical, but does not include drugs such as carbon-containing compounds or potassium-containing salts, that contain trace quantities of naturally occurring radionuclides; and

Any biological product that is labeled with a radionuclide or intended to be labeled with a radionuclide.

"Radiopharmaceutical quality assurance" means the performance and interpretation of appropriate chemical, biological, and physical tests on radiopharmaceuticals to determine the suitability of the radiopharmaceutical for use in humans and animals. Radiopharmaceutical quality assurance includes internal test assessment, authentication of product history, and appropriate record retention.

"Radiopharmaceutical services" means procuring, storing, handling, compounding, preparing, labeling, quality assurance testing, dispensing, distributing, transferring, record-keeping, and disposing of radiochemicals, radiopharmaceuticals, and ancillary drugs. Radiopharmaceutical services include quality assurance procedures, radiological health and safety procedures, consulting activities associated with the use of radiopharmaceuticals, and any other activities required for the provision of pharmaceutical care.

"Red C stamp" means a device used with red ink to imprint an invoice with a red letter C at least 1 inch high, to make an invoice of a Schedule III through IV controlled substance, as defined in A.R.S. § 36-2501, readily retrievable, as required by state and federal rules.

"Remodel" means to structurally alter the pharmacy area or location.

"Remote drug storage area" means an area that is outside the premises of the pharmacy, used for the storage of drugs, locked to deny access by unauthorized persons, and secured against the use of force.

"Resident" means a person admitted to and residing in a long term care facility.

"Score transfer" means the process that enables an applicant to take the NAPLEX in a jurisdiction and be eligible for licensure by examination in other jurisdictions.

"Sterile pharmaceutical product" means a dosage form free from living micro-organisms.

"Strength" means:

The concentration of the drug substance (for example, weight/weight, weight/volume, or unit dose/volume basis); or

The potency, that is, the therapeutic activity of a drug substance as indicated by bioavailability tests or by controlled clinical data (expressed, for example, in terms of unity by reference to a standard).

"Supervision" means a pharmacist shall be present, assume legal responsibility, and have personal oversight of activities relating to the acquisition, preparation, distribution, and sale of prescription medications by pharmacy interns or supportive personnel.

"Supplying" means selling, transferring, or delivering to a patient or a patient's agent 1 or more doses of:

A nonprescription drug in the manufacturer's original container for subsequent use by the patient, or

A compressed medical gas in the manufacturer's or compressed medical gas distributor's original container for subsequent use by the patient.

"Supportive Personnel" means individuals trained to perform, under the supervision of a pharmacist, activities related to the preparation and distribution of prescription medications consistent with policy and procedures required in R4-23-403.

"Transfill" means a manufacturing process by which 1 or more compressed medical gases are transferred from a bulk container to a properly labeled container for subsequent distribution or supply.

"Wholesale distribution" means distribution of a drug to a person other than a consumer or patient, but does not include:

Selling, purchasing, or trading a drug or offering to sell, purchase, or trade a drug for emergency medical reasons. For purposes of this Section, "emergency medical reasons" includes transferring a prescription drug by a community or hospital pharmacy to another community or hospital pharmacy to alleviate a temporary shortage;

Selling, purchasing, or trading a drug, offering to sell, purchase, or trade a drug, or dispensing a drug pursuant to a prescription;

Distributing a drug sample by a manufacturers' or distributors' representative; or

Selling, purchasing, or trading blood or blood components intended for transfusion.

"Wholesale distributor" means any one engaged in wholesale distribution of drugs, including: manufacturers; repackers; own-label distributors; private-label distributors; jobbers; brokers; warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses, and wholesale drug warehouses; independent wholesale drug traders; and retail pharmacies that conduct wholesale distributions in the amount of at least 5% of gross sales.

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**ARTICLE 7. NON-PHARMACY LICENSED OUTLETS -
GENERAL PROVISIONS**

R4-23-704. Requirements for Medical Facilities in Industrial and Business Organizations

- A.** Preface: The branch of medicine dealing with "Medical Stations" and "First Aid Stations" is known as Occupational Medicine or Industrial Medicine. The prime purpose of Occupational Medicine is to maintain by prevention, early diagnosis, rehabilitation and education, the optimal health and productivity of persons employed in business and industrial organizations. It is not meant to replace the personal physician. It is not designed to provide repeated treatments for non-occupational disorders. However, medications must occasionally be used for the following situations and therefore require Board of Pharmacy supervision:
- B.** Occupational disorders: Injuries and illnesses incurred during the course of and/or as the result of the occupation.
- C.** Non-occupational disorders: Non-occupational disorders which:
1. Require interim treatment until the patient can reach his personal physician.
 2. Will enable employee to complete work shift or work period and thereby prevent lost time and production.
 3. Are of a minor nature for which a physician would ordinarily not be consulted.
- D.** Qualifications: In order to qualify as a Medical Station or a First Aid Station, such stations are required to have an Arizona-licensed physician responsible for its operations and the medical actions of the personnel in attendance in the unit.
- E.** Registered nurse required in absence of medical practitioner: In some instances, it is not feasible for a physician to attend such stations in person at all times. In practice, some of these stations do not see the physician except on rare occasions. When a physician is not personally in attendance at the Medical Station, and medical services other than strictly first aid work are being performed, there must be an Arizona registered nurse in charge.
- F.** First Aid Stations: In First Aid Stations which do not have an Arizona-registered nurse in attendance, there should be one or more employees qualified in first aid (such as by American Red Cross or Mine Safety Appliance) available throughout the working hours.
(Note: It is of the utmost importance that occupational nurses exercise good judgment in the handling of medications for minor ailments. She should be careful that the symptoms and appearance of the employee are not masking signs of a more serious disorder. This holds true particularly for pains and symptoms in the chest or abdomen.)
- G.** Drug laws must be observed: The Arizona State Board of Pharmacy acknowledges the establishment of Medical Stations and First Aid Stations for employees in or of industrial plants and business organizations. In order to protect the people who utilize such facilities, laws and safeguards pertaining to drugs must be observed.
- H.** Regulations not intended for doctor coverage: This regulation is not intended for installations in which licensed physicians are in full-time attendance.

R4-23-706. Purchasing and Obtaining Drugs

- A.** Variety and quantity of medications allowed: The variety and quantity of medications allowed at an Industrial Medical or First Aid Station must be kept to a minimum and must be only sufficient to meet the needs of the individual station.
- B.** Legend drugs to be obtained from a pharmacy: Drug manufacturers and drug wholesalers are only permitted to sell to a

person or firm that has a license from the Arizona State Board of Pharmacy. They can only sell or distribute legend drugs to a pharmacy licensee, either retail or hospital. Therefore, Industrial Medical Stations must obtain their legend drugs from a pharmacy.

- C.** Physician must order drugs: Only the physician in charge of and responsible for the station must order the legend drugs to be used in such station. The drugs may be billed to and paid for by the company. Proprietary medicines or preparations may be obtained either as above from a pharmacy, or from other sources if a Patent and Proprietary License is obtained from the Board.
- D.** Drugs must be delivered to station: Drugs must be delivered immediately upon receipt to, and properly stored in, the Medical Station or First Aid Station. Drugs cannot be stored in the company's general receiving station or warehouse.
- E.** Narcotics: At a Medical Station, in order to purchase and stock any narcotics, or other controlled substances, the responsible physician must obtain a controlled substances registration from the Drug Enforcement Administration for the address of the Medical Station. All narcotic and other controlled substances supplies required for use at the Medical Station should be on the order forms issued to that address.
- F.** Narcotic procedure when physician discontinues his practice at the industrial plant, he may dispose of his narcotics and other controlled substances pursuant to order forms, provided he has obtained specific approval from the Drug Enforcement Administration in which the proposed recipient is located. On the other hand, if the physician does not discontinue his practice, but merely ceases to act as the medical station's physician, he may take the narcotic drugs and other controlled substances secured under his individual registration to his new place of business provided he obtains authorization from the Drug Enforcement Administration.
- G.** Security of drugs: In a Medical Station, all drugs including proprietary medications, must be under lock when the nurse or physician is not in attendance. Extra precautions should be provided for the security of narcotic drugs and other controlled substances.

R4-23-707. Limitation of Acts Permitted

- A.** First Aid Stations: First aid attendants are not permitted to administer medications other than simple household remedies. First Aid Stations are only permitted to possess such simple household remedies.
- B.** Registered nurse can administer, but not dispense: A registered nurse is not permitted to dispense medications; but may administer a legend or a proprietary drug, and may supply a proprietary drug in the original package of the manufacturer.
- C.** Medical Stations: Medications which require handling or administration by occupational nurses fall into three categories:
1. Emergency legend drugs.
 2. Other legend drugs.
 3. Proprietary drugs.
- D.** Emergency legend drugs: For emergency administration only, it is permissible to store in the Medical Facility the following types of injectable medications:
Vasopressor, e.g., Epinephrin
Respiratory stimulant, e.g., Nikethamide
Narcotic, e.g., Meperidine
Antihistamin, e.g., Chlorpheniramine Maleate
Bronchodilator, e.g., Aminophyllin
Adrenal Corticosteroid
- E.** Other legend drugs: Only minimal quantities of these drugs may be kept at the Medical Station. They will be adminis-

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- tered only as ordered by the occupational physician or the employee's private physician. In each instance before an occupational nurse administered a narcotic, she must have a specific order from a physician, and phoned orders are not permissible except in true emergency situations.
- F.** Legend drugs to be dispensed only by a pharmacist: Legend drugs may not be provided by the nurse for subsequent use. Such legend drugs, except for single unit doses administered by the nurse, must be obtained upon prescription orders for the individual employee from a physician, and dispensed by a pharmacist.
- G.** Proof of Usage book: The occupational nurse will be responsible for recording in a "Proof of Usage" book the following information to account for the receipt and administration of all legend drugs:
1. Date received.
 2. Quantity received.
 3. Date of administration.
 4. Name of patient.
 5. Name of medication.
 6. Dosage administered.
 7. Name of physician responsible for the order.
- H.** Record subject to inspection: The "Proof of Usage" book must be kept up to date at all times and is subject to inspection by the Board of Pharmacy Inspectors.
- I.** Labeling of drugs: All legend drugs must be labeled in conformity with the federal Food, Drug and Cosmetic Act.
- J.** Types of legend drugs: The types of medication included in this category other than emergency injectables are:
1. Sedatives.
 2. Tranquillizers.
 3. Anticonvulsants.
 4. Analgesics.
 5. Skeletal muscle relaxants.
 6. Biologicals for immunization.
- R4-23-708. Proprietary Drugs**
- A.** Registered nurse may administer: These medications may be administered by a registered nurse for minor disorders encountered by employees during their work periods.
- B.** Single dose from bulk package: A single dose of medication may be administered by the nurse from a bulk package.
- C.** Prepackaged drugs: In instances where the employee should be provided more than one dose of a non-legend drug, to be subsequently used by the employee, such drugs may be supplied only in the original package of a drug manufacturer, with printed directions, warnings, etc., as required by the federal Food, Drug and Cosmetic Act. Such drugs may not be sold by the Medical Station unless a Patent and Proprietary license is obtained from the Board of Pharmacy.
- D.** List of proprietary drugs: Proprietary drugs which might be used would include the following general classifications:
1. "Cold" medication.
 2. Analgesics.
 3. Antacids.
 4. Antidiarrhetics.
 5. Laxatives.
 6. Dysmenorrhea medications.
 7. Antiseptics.
 8. Hydrogen peroxide.
 9. Ointments and salves.
 10. Antihistamines (non-legend).
- R4-23-709. Notice of Location and Inspection**
- A.** Location and nurse's name to be filed with Board: A notice of the location of an Industrial Medical Station must be filed with the Arizona State Board of Pharmacy within 30 days with the name of the Arizona physician responsible for its operation, and the name of the Arizona registered nurse who will be in charge in the absence of the physician. A notice of any change of such personnel shall also be filed within 30 days with the Board of Pharmacy.
- B.** First Aid Stations with 50 or more employees: Companies which maintain First Aid Stations for 50 or more employees shall notify the Board of the existence of such stations.
- C.** Stations subject to inspection: Industrial Medical Stations and First Aid Stations are subject to inspection by Arizona State Board of Pharmacy Inspectors.

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TITLE 15. REVENUE

CHAPTER 3. DEPARTMENT OF REVENUE

LUXURAY TAX SECTION

PREAMBLE

1. Sections Affected

R15-3-301
R15-3-302
R15-3-303
R15-3-304
R15-3-305
R15-3-306
R15-3-307
R15-3-308
R15-3-309
R15-3-310
R15-3-311
R15-3-312
R15-3-313

Rulemaking Action

Amend
Repeal
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| R15-3-314 | Amend |
| R15-3-315 | Amend |
| R15-3-316 | Amend |

2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. §§ 42-105 and 42-1202
Implementing statute: A.R.S. §§ 42-1201 through 42-1218; and 42-1231
3. **A list of all previous notices appearing in the Register addressing the proposed rule:**
Notice of Rulemaking Docket Opening: 2 A.A.R. 885, February 2, 1996.
4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Christie Comanita, Tax Analyst
Address: Tax Research & Analysis Section
Arizona Department of Revenue
1600 West Monroe
Phoenix, Arizona 85007
Telephone: (602) 542-4672
Fax: (602) 542-4680
5. **An explanation of the rule, including the agency's reasons for initiating the rule:**
The rules provide guidance in the application of the Arizona luxury tax to distributors of cigarettes and other tobacco products. As a result of the department's 5-year review of Article 3, the department is proposing to repeal and amend antiquated and repetitive rules.
6. **A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**
Not applicable.
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
8. **The preliminary summary of the economic, small business, and consumer impact:**
Identification of the Rulemaking:

As a result of the department's 5-year review of Article 3, the department is proposing to repeal and amend antiquated and repetitive rules.

Summary of Information in the Economic, Small Business, and Consumer Impact Statement:

It is expected that the benefits of the rules will be greater than the costs. The repeal and amendment of these rules will benefit the public by eliminating repetitive and obsolete rules which no longer serve their intended purpose. The department will incur the costs associated with the rulemaking process. Taxpayers are not expected to incur any expense in the repeal and amendment of these rules.
9. **The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**
Name: Christie Comanita, Tax Analyst
Address: Tax Research & Analysis Section
Arizona Department of Revenue
1600 West Monroe
Phoenix, Arizona 85007
Telephone: (602) 542-4672
Fax: (602) 542-4680
10. **The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**
The Department has not scheduled any oral proceedings. Written comments on the proposed rules or preliminary economic, small business, and consumer impact statements may be submitted to the person listed above. Pursuant to A.R.S. § 41-1023(C), the department will schedule oral proceedings if 1 or more people file written requests for oral proceedings within 30 days after the publication of this notice.

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11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
None.
12. Incorporations by reference and their location in the rules:
None.
13. The full text of the rules follows:

TITLE 15. REVENUE

CHAPTER 3. DEPARTMENT OF REVENUE
LUXURAY TAX SECTION

ARTICLE 3. TOBACCO

Section

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ARTICLE 3. TOBACCO

- R15-3-301. Licensing Procedure procedure—change in ownership
- A. The department issues a tobacco distributor's license is issued to a specific person. The licensee shall and therefore is not transfer the tobacco distributor's license to a new owner transferable when selling the a-business. A The new owner person shall obtain a tobacco distributor's license before engaging in business as a tobacco distributor.
- B. Court appointed trustees, receivers, and others in the case of both liquidation, insolvency, or and operational bankruptcy where the business continues to be operated, that sell who are selling tobacco products luxuries subject to tax shall taxation are required to obtain a tobacco distributor's license in their own name.
- C. A licensee that changes its legal entity shall apply for a new tobacco distributor's license. A licensee that changes its form of business shall apply for a new tobacco distributor's license. For example: A licensee that operates as a sole proprietorship incorporates the business. A corporation is a different form of business.

The licensee shall apply for a new tobacco distributor's license.

In cases where a license is issued to a partnership, any change in ownership requires the obtaining of a new license.

D. A licensee shall obtain a tobacco license for each business location.

E. A licensee shall display the tobacco distributor's license in a conspicuous place at each business location.

R15-3-302. Repealed Licensing procedure—display of license

Persons maintaining a public place of business shall display the luxury tax license in a location conspicuous to the public.

R15-3-303. Repealed Licensing procedure—notification to Department of more than one place of business

When a seller maintains more than one place of business, the seller shall notify the Department and obtain a duplicate license for each business location.

R15-3-304. Change of Business Name Licensing procedure—change of business name

A licensee that changes When a change is made in the name under which the business is operating, even though the ownership remains the same, the taxpayer operates shall notify the Department in writing within 30 days of the name change and request a reissuance of the its tobacco distributor's license for each business location.

R15-3-305. Change Licensing procedure—change of Business Location business location or Mailing Address

A. A licensee changing location of the licensed business shall notify the Department in writing within 30 days of a the change in the physical location of the business and request a reissuance of the its tobacco distributor's license for each business location.

B. A licensee shall notify the Department in writing within 30 days of a change in mailing address. The licensee shall specify that the change is for the mailing address only.

R15-3-306. Repealed Licensing procedure—change of mailing address only

The A licensee shall notify the Department in writing within 30 days of any change in mailing address. The licensee shall specify that the change is for mailing purposes only.

R15-3-307. Cancellation Licensing procedure—cancellation of License license

If a business is sold or terminated. When a licensee has sold or otherwise terminated the licensed business the licensee shall notify the Department in writing within 30 days of the sale or termination of the business, in writing, giving the date the business was sold or terminated. The department shall cancel the license as of the date of sale or termination of the business.

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R15-3-308. Revocation of License Licensing procedure—suspension or revocation of license

- A. The department may revoke a license for violation of the provisions of Arizona Revised Statutes, Title 42, Chapter 7 or this Article.
- ~~B.A.~~ The Department shall give written notice of the revocation to a licensee 30 20 days prior to suspending or revoking the effective date of the revocation a luxury tax license by delivering the such notice to the licensee by certified mail, return receipt requested, at the licensee's place of business.
- ~~CB.~~ A licensee Licensee shall have 30 20 days after the licensee receives the notice is mailed to appeal the such suspension or revocation, in writing, to the Department. If the licensee does not file an appeal within the 30 20-day period days, the Department's determination of the Department shall be becomes final upon expiration of that period.
- ~~D.~~ If the licensee does files a timely an appeal within that period, the Department shall request a hearing by the Office of Administrative Hearings, shall, within 20 days of the filing of the appeal, hold a hearing and hear such evidence presented by as the licensee may present. The Department shall issue a final determination within 20 days of the hearing date.
- ~~E.~~ If the licensee appeals the revocation, the Department shall suspend action until the final order of the Department has been issued under A.A.C. R15-10-131. A license suspended by the Department may be reinstated upon application of licensee and a showing that the non-compliance for which the suspension was initiated has been corrected.

R15-3-309. Repealed Licensing procedure—Indian Reservation

- ~~A.~~ Every person, other than an Indian or Indian Tribal Enterprise, selling or offering for sale to non-Indians any cigarettes or other tobacco products within an Indian Reservation shall apply for and obtain a Tobacco Distributor's License from the Department prior to commencing business.
- ~~B.~~ No person shall be exempt from the licensing requirement unless such person meets if the following qualifications:
1. Such person is an Indian or Indian tribe as defined in R15-3-201(H) or (I), and
 2. The person so exempted possesses majority ownership and control of the unlicensed business and a majority of all benefits thereof accrue to the benefit of such person.

R15-3-310. Vending Machine Identification and Inspection machine identification and inspection

- A. A licensee shall ensure that the Department's agents are able to inspect all cigarettes that are being distributed through or by vending machines are subject to inspection by agents of the Department. The licensee All such machines shall visibly display cigarettes in all such machines so in such a manner that the Department's agents agents of the Department can inspect the cigarettes in the machines to verify that the required cigarette tax stamps are properly affixed, unless the option authorized in subsection (B) of this rule applies is selected.
- B. If the cigarettes cannot be visually inspected in a machine, the person in possession of the machine shall must have access to the cigarettes in the machine contained therein and shall permit agents of the Department to visually inspect the cigarettes therein.
- ~~C.~~ The Department shall issue a decal to be affixed to all vending machines or mobile vehicles selling cigars, cigarettes or tobacco products. The decal shall be affixed to each of these units recording the name of the licensee, the business loca-

tion, and the number of the retail license authorizing such tobacco sales.

R15-3-311. Cigarette Distributor's Monthly Report distributor's monthly report

- A. Every On forms provided by the Department, every distributor selling cigarettes subject to the luxury tax taxable under Arizona Revised Statutes, Title 42, Chapter 7 the Arizona Luxury Privilege Tax Laws shall file with the Department a "Cigarette Distributor's Monthly Report" on the 20th of the month following the month in which the sales occurred with the Department showing:
1. The for the immediately preceding calendar month, the quantity of cigarettes and cigarette tax stamps purchased and sold or otherwise disposed of during such the immediately preceding calendar month;
 2. The the quantity of cigarettes and stamps on hand at the beginning and at the end close of the each such month; and
 3. any other information as the Department shall require and deems relevant for the purpose of determining whether the provisions of the Luxury Tax Laws are being met.
- ~~B.~~ Any Luxury Tax, shortage payment disclosed with the filing of these monthly reports shall be paid made at the time of filing the report.

R15-3-312. Purchase of Stamps stamps

- A. A licensed tobacco distributor shall obtain cigarette tax stamps from the Department. No licensee nor any other person shall sell, give or lend any cigarette tax stamps nor shall any licensee or any other person purchase, accept, receive or borrow any cigarette stamps from any licensee or any other person. Authority for all sales and transfer of such cigarette stamps shall be solely that of the Department.
- ~~B.~~ A distributor shall not sell, lend, give, or otherwise transfer cigarette tax stamps to another person.

R15-3-313. Common Bond bond

A Any group or association of licensed tobacco distributors wholesalers or retailers wishing to purchase revenue stamps on credit may furnish a common bond, in such form as prescribed by the Department in The group or association shall provide a bond that is the aggregate of 2½ two and one-half times the participating distributors' wholesalers or retailers monthly stamp purchases. The group or association shall provide information relating to each participating distributor's wholesaler or retailer shall be shown separately as to name, location, and bond amount. The group or association shall furnish the common bond so it is available to satisfy the indebtedness of any or all members of the group under the provisions of A.R.S. § 42-1207.01.

R15-3-314. Sales in Interstate interstate or Foreign Commerce foreign commerce

- ~~A.~~ Sales Cigarettes or other tobacco products made sold by licensed distributors to purchasers located outside situated without the state are exempt from the tax imposed by this Title 42, Chapter 7, Article 1. In order to qualify as an exempt sale, if the following conditions must be are met:
1. The exempt luxury cigarettes or other tobacco products are must be shipped or delivered by the distributor to a location outside without the state for use outside the state; and
 2. The On forms prescribed by the Department, the distributor files shall file a "Cigarette Distributor's Monthly Report" or a "Monthly Return of Cigars or Other Tobacco Products Purchased", as applicable, indicating

the amount of designating exempt or out-of-state sales in the appropriate section and the party to whom the sales were made, and:

- a. submits submit 1 one copy of the return or report return/report to the Arizona Department of Revenue;
- b. submits submit 1 one copy of the return or report to the taxing authority of the state of destination of the cigarettes or other tobacco products exempt luxury; and
- c. retains retain 1 one copy of the return or report for 2 two years following the close of the calendar year in which the sale is made.

~~B. Sales made in foreign commerce are exempt from tax if the sale qualifies for exemption from the applicable federal tax.~~

R15-3-315. Credit Purchases purchases of Revenue Stamps
~~revenue stamps~~

Any A distributor may increase their credit limit for with respect to revenue cigarette tax stamp purchases by increasing the amount of the bond on file with the Department.

R15-3-316. Sale of Unstamped Cigarettes ~~unstamped cigarettes~~

A distributor shall file a Form 800-20 or Form 800-25, Distributor's Monthly Report, furnish evidence satisfactory to with the Department showing that the distributor has purchased a sufficient number of stamps to be affixed to all cigarettes distributed in this state during the period. sold were affixed with the required stamps. If the distributor does not provide this information satisfactory evidence is not furnished, the Department shall presume that the distributor sold unstamped cigarettes were sold. In that case, the Department shall determine the amount of unstamped cigarettes sold by the distributor and shall issue an a proposed deficiency assessment for any luxury tax found due. The proposed deficiency assessment becomes final unless the distributor protests the assessment within 45 days under A.R.S. § 42-117 and Chapter 10, Article 1 of this Title.

NOTICE OF PROPOSED RULEMAKING

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 1. DEPARTMENT OF ENVIRONMENTAL QUALITY - ADMINISTRATION

PREAMBLE

1. Sections Affected

Article 5.
R18-1-501
R18-1-502
R18-1-503
R18-1-504
R18-1-505
R18-1-506
R18-1-507
R18-1-508
R18-1-509
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Table 1
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Table 3
Table 3-N
Table 3-S
Table 4
Table 5
Table 5-N

Rulemaking Action

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| Table 5-S | New Table |
| Table 6 | New Table |
| Table 6-N | New Table |
| Table 6-S | New Table |
| Table 7 | New Table |
| Table 8 | New Table |
| Table 9 | New Table |
| Table 10 | New Table |
| Table 11 | New Table |
| Table 12 | New Table |
| Table 13 | New Table |
| Table 14 | New Table |
| Table 15 | Reserved |
| Table 16 | New Table |
| Table 17 | New Table |
| Table 18 | New Table |
| Table 19 | New Table |
| Table 19-S | New Table |
| Table 20 | New Table |
| Table 21 | New Table |
| Table 22 | New Table |

2. The specific authority for the rule making, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. §§ 41-1003, 49-104, 49-203, 49-425.

Implementing statute: A.R.S. § 41-1076(A).

3. List of all previous notices appearing in the Register addressing the proposed rules:

Notice of Rulemaking Docket Opening: 3 A.A.R. 1878, July 11, 1997.

Notice of Rulemaking Docket Opening: 4 A.A.R. 3050, October 16, 1998.

4. The name and address of agency personnel with whom persons may communicate regarding the rule making:

Name: David J. Armacost or Martha L. Seaman

Address: Arizona Department of Environmental Quality
Rule Development Section, M0836A-829
3033 North Central Avenue
Phoenix, Arizona 85012

Telephone: (602) 207-2225 or toll-free within Arizona: (800) 234-5677, Ext. 2225

Fax: (602) 207-2251

5. An explanation of the rule, including the agency's reasons for initiating the rule:

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- 4) Rule text and policy alternatives contained within this proposed rule
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 - (3) Substantial change to the application
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A. Introduction.

This proposed rule will determine how long the Department may delay a denial of an unapprovable application in each of the 599 license categories identified in this rule. Department experience is that approvable applications are approved as soon as they are determined to be approvable. The Department does not expect this to change under this proposed rule. Currently, the Department often delays licensing decisions on unapprovable applications while waiting for applicants to make their applications approvable. In accordance with Arizona law, this must now come to an end. This proposed rule, however, contains numerous provisions designed to offer the maximum flexibility and assistance possible under the law for the benefit of applicants. This, in turn, will provide applicants opportunities to make their applications approvable rather than face summary denial for failure to submit complete, approvable applications on day 1 of the application review period.

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Article 7.1, A.R.S. §§ 41-1072 through 41-1078 (Article), of the Administrative Procedure Act (APA) requires all state agencies to adopt licensing time-frames for every license, approval, registration, charter, or similar form of permission they issue. Once adopted, failure by an agency to grant or deny a license within the overall time-frame for that license may subject the agency to sanctions of refunds, fee excusals, and penalties. The Department of Environmental Quality (Department) issues some of most complex licenses issued by the state. Some of these licenses can incur fees in the \$10,000 to \$50,000 range. Applications for these licenses often require highly technical substantive review of novel or unusual proposals presented by applicants for Department approval. Many of these licenses are issued by programs that the Legislature requires to be funded from license fees. It follows that implementation of the Article has a potential to disrupt Department revenues that in turn would disrupt Department programs.

The legislative history of the Article makes it clear that the Legislature directed agencies to revise their licensing processes specifically in order to reduce applicant uncertainty in the process and generally to make the various licensing processes more responsive to the needs of applicants. To this end, the Legislature expects the Department to work closely with the regulated community in setting time-frames leading to sanctions for the various licenses and, if possible, bring forward a rule making on the subject to the governor's regulatory review council (GRRC) with the full support of the regulated community. While working to obtain strong support in the regulated community in setting time-frames, the Legislature also expects the Department not to lose sight of its many statutory mandates to operate the various compliance and enforcement programs. This means the Department must balance the desires of applicants for certainty, low fees, and rapid license approvals with the needs of the programs to remain effective and financially viable by insuring that the implementation of the article not become an unmanageable license lottery with disastrous effects on the Department, the regulated community, and the people of Arizona.

It follows that the Department must view matters that may adversely impact fee-funded programs with great interest. License fees for such programs are set initially at (usually) optimistically low rates with the hope that such fees will be sufficient to fund the programs. Often, this turns out not to be the case. Article 7.1 adds a new element of uncertainty into this mix with its complex provisions for refunds, fee excusals, and penalties. It is not statistically possible for the Department to achieve a zero refund rate under the Article's requirements. This means that from time to time, refunds will occur. One central issue raised by that fact and returned to throughout this explanation will be to what extent does the Article intend that a fee submitted with a license application become less like the traditional concept of a license fee and more like a purchased chance to a free license with the losers (those who receive timely approvals or denials) eventually paying a higher fee to subsidize the winners (those who do not receive timely approvals or denials). That this has the potential to operate as a license lottery is clear. How the Department should implement the Article to avoid the worst effects of a license lottery is not so clear. The primary goal of the Department, however, must be to assess and reduce the risks created by this Article to further underfund Department programs.

Underfunding of Department programs is an important issue and affects the regulated community in several ways, all adverse. First, underfunding exacerbates personnel difficulties. Annual employee turnover rates in some Department programs already is high. Employee replacement and training costs are also high, especially for the more technical and specialized engineering positions.

Second, underfunding deprives the Department of the ability to provide fair, reasoned, and reasonable review of permit applications. Each year, the Legislature enacts statutes revising and adding to the Department's duties. Statutes enacted in earlier years also continue to provide sources of new obligations. The Department, in response, is obligated to revise rules and procedures and set up new programs as required. All this requires the application of Department resources; often significant resources. Underfunding means that necessary resources will not be available and will result in both short- and long-term adverse impacts on the ability of program staffs to provide proper consideration of license applications. Underfunding also means that the Department is unable to respond adequately to normal variations in the volume and complexities of license applications beyond the control of the Department. When this inability to respond in a timely manner results directly in causing further underfunding due to the refund, fee excusal, and penalty provisions of Article 7.1, it is not unreasonable to predict that a cycle of untimely review and resulting sanctions could likely send a fee-funded program into a financial spiral. The most likely results would be an increasing number of under-reviewed or unreviewed license applications at best, or the inability by program staff to accept any new license applications at worst. Either would be a case of Department failure in its obligations to provide applicants fair, reasoned, and timely review of applications.

Third, underfunding of fee-funded programs inevitably will create pressures to increase fees. This result is unavoidable and can only be viewed as detrimental by the regulated community. This means that the more sanctions incurred by a fee-funded program, the more pressure will erupt to raise fees in that program. For all these reasons, Article 7.1 probably places an additional obligation on the Department in regards to fee-funded programs to use its best efforts not to incur sanctions if only to reduce the pressure to increase fees on the class of licensees under that program and to maintain a financially viable program so as to service future prospective licensees.

On the other hand, because of these pressures, the Article also presses a number of interesting changes that may well improve the Department's current licensor-licensee relationship. Current Department practice in reviewing Model E and F license applications (see § 5(C)(3)(a) for a discussion on license processing models) is often to ignore licensing decision deadlines in statute or rule if their observance would result in a decision to deny. Rather, the Department will usually continue to work with an applicant to fashion an approvable application. Although this approach can consume significant additional Department resources, it has been of benefit to applicants and probably has reduced the need for the Department to pursue enforcement action in the matter. Article 7.1 changes this. Department resources must now shift somewhat with less going to applicants in achieving an approvable permit and more going towards enforcement. This shift is sure to encourage applicants to be more attentive to their applications in the first instance. The result of increased applicant attention should allow the Department gen-

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erally to reach decisions to grant licenses earlier than is now the case. This may well save time and money both for applicants and the Department's licensing programs.

The Department has examined Article 7.1 in great detail, conducted (and will continue to conduct) extensive internal analyses of all licensing programs, examined similar efforts by other agencies, and made a series of preliminary decisions regarding its obligations and discretion to act under the Article. The Department will continue to study and evaluate the matter, make economic analyses of the results of alternative implementation scenarios of the Article, hold public workshops to ascertain public perceptions and expectations regarding implementation, and further define its obligations and discretion to act under the Article. The Department has determined that the Article contains a number of important ambiguities and direct contradictions that, if not addressed squarely, could seriously undermine the ability of the Department to review license applications and jeopardize the integrity of the various compliance and enforcement programs. The Department's obligations to the Legislature, the regulated community, and the people of Arizona to maintain itself as a financially viable agency able to carry out its licensing and enforcement duties means that the Department must take an active role in the understanding and implementation of the Article.

B. Summary.

This proposed rule prescribes a set of uniform definitions and procedures concerning the operation of the licensing time-frame requirements of Article 7.1 of the APA. These uniform definitions and operations will apply to all licensing programs administered by the Department. A series of tables appended to the rule contain 5 specific categories of information regarding each license: (1) the license name and description, (2) the number of business days identified for administrative completeness review, (3) the number of business days identified for substantive review, (4) whether the license is subject to sanctions (refunds, fee excusals, and penalties), and (5) an identification of the specific application components required by the Department in order to determine whether to grant a license. Only licenses identified on the tables will be subject to Article 7.1 requirements and only applications first received after the effective date of the rule will be subject to its sanctions and reporting requirements.

The first 2 sections of this proposed rule govern definitions and applicability. The next 5 sections prescribe the starting, suspending, resuming, ending, and expiration of the four time-frame clocks identified in the Article: administrative completeness review, substantive review, overall, and extension. The next 6 sections prescribe the terms and operation of 6 types of bilateral time-frame agreements proposed by the Department for the benefit of applicants that can affect the running of the clocks: pre-application, supplemental request, time-frame extension, changed application, reactivated, and opt-in agreements. The next 5 sections describe a number of unilateral actions that the Department may take. The next 6 sections describe a number of general provisions governing the effect of certain Department and applicant actions on the running of the time-frames and the determination of sanctions. Finally, all licenses governed by the rule are listed in the tables referenced in the last section.

This proposed rule represents an overlay on, and operates independently from, existing statutory and regulatory application review times for the various licenses. This anomaly of independent running of concurrent review times is unavoidable due to the various suspension and extension provisions required in the counting of days by Article 7.1 but not applicable to the counting of days under the various existing statutory and regulatory review times.

The primary purpose of the running of the time-frames in Article 7.1 is to determine when and how sanctions occur. This means in practice that cases will arise under the statutory review time has expired without the Department issuing a decision whether to grant or deny an application but, due to the operation of the counting, suspension, and extension provisions of the Article, no sanctions are yet due. What this proposed rule does is describe with specificity the point beyond which the failure of the Department to make that decision is so late that sanctions result.

The operation of Article 7.1 will force two important changes in current Department practices. First, in order to reduce the risk of sanctions, the Department must record and track all applications with a level of attention and diligence not necessary (or even financially prudent) in the past. This means the diversion of a certain amount of Department resources to develop, operate, and maintain the necessary application tracking infrastructure and training activities. Second, the sanction provisions will now force the Department to deny incomplete or nonresponsive applications rather than spend whatever time may be necessary to work with an applicant to fashion an approvable application as is often the case now, especially in response to novel, unusual, or highly complex application proposals. The Department has balanced this new statutory imperative to deny incomplete applications with several moderating provisions in the proposed rule that may allow applicants to correct or modify their applications in lieu of summary denials and forfeitures of fees paid.

C. Background.

The 42nd Legislature established the Joint Study Committee on Regulatory Reform and Enforcement (Study Committee) in 1995. The Study Committee issued its Final Report in December 1995 and the report's recommendations became the basis of Senate Bill (SB) 1056, a bill introduced in the second regular session (1996) of the 42nd Legislature. Portions of that bill became law as Article 7.1, a new article added to the Administrative Procedure Act. Several modifications to Article 7.1 were enacted into law through SB 1034, a bill introduced in the second regular session (1998) of the 43rd Legislature, and made effective August 21, 1998.

1) Article 7.1.

The Article requires all state agencies to have in place final rules by December 31, 1998 "establishing an overall time-frame during which the agency will either grant or deny each type of license that it issues." A.R.S. § 41-1073(A). Licenses normally issued within 7 days of receipt of initial application are exempt. A.R.S. § 41-1073(D)(2). The rule "shall state separately the administrative completeness review time-frame and the substantive review time-frame" for each license type. A.R.S. § 41-

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1073(A). These three time-frames (overall, administrative completeness, and substantive review) represent three separate clocks that run concurrently or consecutively (and perhaps independently) and may be suspended under certain circumstances. The Article defines some, but not all, aspects of the starting, suspending, resuming, expiration, and ending of each clock.

Failure to grant or deny a license by "the expiration of the overall time-frame or the time-frame extension" results in a refund of all fees paid by the applicant plus an excusal of additional fees due but not yet paid. A.R.S. § 41-1077(A). In addition, an agency must pay a penalty to the general fund equal to 1% of the "total fees received by the agency for reviewing and acting on the application for each license that the agency has not granted or denied on the last day of each month after the expiration of the overall time-frame or time-frame extension for that license." A.R.S. § 41-1077(B). The penalty must come from the same "agency fund in which the application fees were originally deposited." A.R.S. § 41-1077(B). A license denial must be written and include a justification with references to the relevant statutes or rules and an explanation identifying (1) appeal rights, (2) the number of days to file a protest, and (3) the name and telephone number of an "agency contact person who can answer questions regarding the appeal process." A.R.S. § 41-1076.

The Department must report its level of compliance with the Article to the governor's regulatory review council (GRRC) by September 1 of each year for the previous fiscal year. A.R.S. § 41-1078(A). GRRC must, in turn, report on all agencies' compliance by December 1 of each year to the Governor, the President of the Senate, the Speaker of the House and the Cochairs of the Administrative Rules Oversight Committee (AROC). A.R.S. § 41-1078(B).

2) The "Time-frames" Concept.

Article 7.1 defines a method to determine sanctions for agency inaction through the operation of "time-frames." This does not represent a new mandate to approve licensing applications within certain time limits or to adjust existing defined licensing times. Rather, it provides a means to count days within certain review periods or "time-frames" leading to sanctions on a licensing state agency if those time-frames expire prior to an agency decision to either grant or deny the license. The article does this by defining the starting, suspending, resuming, ending, and expiration of four "time-frames": administrative completeness review, substantive review, overall, and extension.

This represents a different concept than previously defined statutory or regulatory licensing review times. The Article directs state agencies to promulgate rules implementing the Article's requirements but does not directly require or suggest that existing licensing review times be adjusted other than as necessary to accommodate the incorporation of the time-frames.

3) Licensing Application Review Delays.

Not all current Department licensing programs have reputations for timely action. On the other hand, some do; the vehicle emissions and solid waste landfill programs, for example. Other programs have received varying degrees of criticism for failing to make timely licensing decisions. Some license applications have remained under review for significant periods long exceeding normal review times. The Department has analyzed the circumstances of these delays and has determined that license review and processing requirements follow 6 general models and that delays result from 5 general causes. The Department has used these determinations to shape several primary features of this proposed rule. This analysis begins with a description of license processing model types and then proceeds to a discussion of delay causes.

a. License processing models.

Six models emerge as relevant for study. The models are based on the extent and nature of interaction required between the licensee and the Department. They range from no interaction (Model A), notice by licensee with no Department response required (Model B), standard application with no Department substantive review prior to issuing license (Model C), standard application with Department substantive review (Model D), to nonstandard application with Department substantive review either without a public hearing (Model E) or with a public hearing on a proposed permit (Model F). The Department has determined that Article 7.1 requires the Department to promulgate time-frames and report compliance only for Models C, D, E, and F and that only Models D, E, and F are subject to Article 7.1's sanctions of refunds, fee excusals, and penalties. Figure 1 summarizes the main points of the 6 models.

Fig. 1: License Processing Models

| <u>Model</u> | <u>Required From Applicant</u> | <u>Nature of Application Components</u> | <u>Department "Issues" License</u> | <u>Substantive Review</u> | <u>Public Hearing</u> | <u>Example</u> |
|--------------|--------------------------------|---|------------------------------------|---------------------------|-----------------------|---|
| A | -- | -- | No | No | No | Classic general permit. |
| B | Notice | -- | No | No | No | Asbestos NESHAP notification. |
| C | Application | Uniform | Yes | No | No | EPA Haz Waste ID number. |
| D | Application | Uniform | Yes | Yes | No | Wastewater facility operator certification. |

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| | | | | | |
|---|------------------------|-----|-----|-----|---|
| E | Application Nonuniform | Yes | Yes | No | Special waste facility plan type III substantial change approval. |
| F | Application Nonuniform | Yes | Yes | Yes | Class I air permit. |

Model C is the simplest license type subject to Article 7.1: uniform application components with no substantive review. The applicant has no control over the type or extent of the application components (the information and other items required). All applicants must submit exactly the same components. The Department performs only clerical verification that the information has been submitted; no substantive review (qualitative evaluation) is done. The Department then issues some form of acknowledgment to the applicant that a license has issued.

One example is the dry well registration required by A.R.S. § 49-322 and shown on Table 10 as water quality license category no. 105. Applicants desiring this license must submit an application form that requires the same type of information from all applicants. The Department performs only a clerical verification that the application is complete; no qualitative evaluation (substantive review) of the information submitted is done. The Department then registers the dry well and informs the applicant of the registration. The applicant obtains the license only upon receipt of the registration confirmation; operating a dry well without registration is in violation of the law.

Article 7.1 requires the Department to adopt time-frames for this licensing model and report on Department compliance annually to GRRC but prescribes that no Article 7.1 sanctions will result from Department failure to grant or deny this type of license before the expiration of the overall time-frame; even if the license requires a fee. The Department administers only a few license categories of this model and only a modest number of licenses within those categories.

Model D. Model D represents the standard model: uniform application components with substantive review. As in Model C, the applicant has no control over the type or extent of the application components. The Department, however, performs both clerical verification that the information has been submitted (administrative completeness) as well as a qualitative evaluation (substantive review) that the information meets certain criteria sufficient to entitle the applicant to the license. An example is the wastewater treatment or collection facility operator new certification required by A.R.S. § 49-361 and shown on Table 9 as water and wastewater operator license category no. 1. Unlike Model C, Article 7.1 sanctions will result from Department failure to grant or deny a license of this type before the expiration of the overall time-frame if the license requires a fee and that fee is deposited into a Department fund. This license type forms the standard model for most agencies that issue licenses. A driver's license issued by the department of motor vehicles or a professional occupation license issued by the board of technical registration are other typical examples. This Department, however, administers only a limited number of license categories of this model. Within those categories, however, the Department issues a large number of individual licenses. Department performance in processing applications in these license categories is generally quite high, with many categories having no record of any late licensing decisions. This is because, as with a driver's license application, the public expects agencies to make summary decisions on Model D type licenses within a fixed period of time.

Model E is far more complex: non-uniform application components as necessary to support a rational substantive review of an applicant's proposal. A public comment period for a proposed permit may be required but not a public hearing. (In this case, if a public hearing is requested, the application automatically transfers to the model F category.) Here, the applicant has great freedom to propose alternative or novel methods to meet a compliance standard; sometimes the applicant is even permitted to propose the standard. Most license categories administered by the Department follow this model. Although this model places special and unpredictable burdens on the reviewer, it responds to important and compelling societal goals. It allows the applicant to explore a variety of compliance possibilities and propose the one that makes the best financial, business, or personal sense as the applicant best determines. It follows that allowing an applicant to have such wide control over the nature of the application means increased uncertainty in predicting exactly how long review will be, especially in general terms.

Eliminating or restricting this model so as to realize a general desire to obtain absolute certainty beforehand in knowing exactly how long an application review will take is not a good policy choice. Greater certainty in this regard will pressure the Department to limit proposal options by applicants. This is a compromise that the Department is highly reluctant to follow. The field of environmental regulation is extraordinarily complex with new issues, ideas, and technologies arising continuously. Freezing the current state of these matters in rule just to obtain licensing review certainty of short rigid time-frames is sure to harm the regulated community more than help it. Moreover, it is sure to shift the Department's focus more from licensing to enforcement activities, another undesirable result. The Department administers a very large number of license categories of this model although within those categories, the Department issues only a relatively small number of individual licenses. Department performance in processing applications in these license categories is mixed. Complete applications received in the first instance tend to receive early approvals while incomplete, defective, or changing applications tend to remain under review for periods long in excess of periods identified in statute or rule. This is because the Department's experience has been that it tends to approve an application of this type as soon as it is made approvable by the applicant but will delay a denial on an unapprovable application sometimes indefinitely. This, of course, will change under this proposed rule.

Model F is the most complex: non-uniform application components as necessary to support a rational substantive review of an applicant's proposal as in the Model E type but with a public hearing on a proposed permit. This license processing model is the most unpredictable as unexpected issues may arise at the hearing that require extensive reevaluation by the Department. Further, the underlying subject matter of these licenses tend to be the most complex of all license categories which is usually why a public hearing is required in the first place. Article 7.1 recognizes that a public hearing may be part of the licensing review process but does not expressly provide for an opportunity to reassess a proposed decision after the hearing. Not having this time is sure to work against all interests involved in the application, and may now require an applicant to withdraw and resubmit a new

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application (and fee) if only to allow time to avoid a denial following a public hearing. The better policy is to allow the process to continue forward to a reasoned conclusion without resorting to the fiction of a new application just to avoid a denial on the part of the applicant or sanctions on the part of the Department. The Department administers a large number of license categories of this model although within those categories, the Department issues only a small number of individual licenses. As with Model E licenses, Department performance in processing applications in these license categories is mixed. Complete applications received in the first instance tend to receive early approvals while incomplete, defective, or changing applications tend to remain under review for periods long in excess of periods identified in statute or rule.

On the one hand, Article 7.1 pressures the Department to provide greater certainty in predicting review times prospectively in rule. On the other hand, other statutes direct the Department to honor applicant driven proposals for a great many of the licenses the Department issues. Still other statutes prohibit the Department from issuing these licenses by default, meaning that the Department must perform a rational substantive review in response to appropriate application components before granting the license no matter the threat of sanctions (or it must deny the application). The Department must balance and harmonize all these competing statutory requirements.

b. Licensing review delay causes.

Internal review of its licensing procedures and experience due to this rule making effort has allowed the Department to analyze the causes of licensing review delays. Only a relatively small percentage of license applications experience delays beyond times identified in statute or rule. Those that do, however, tend to be the highly complex Model E and F types. The Department has determined that licensing review delays in program licensing activities tend to fall into 5 categories. The Department believes that the features of the proposed rule should eliminate all but the first cause identified below.

Cause 1 is due to clerical failure to attend to the application and can occur in all license processing models. The application tracking system that the Department must implement to control its risk of sanctions under Article 7.1 should reduce delays due to this cause. Still, clerical inattention to an application will result in sanctions under Article 7.1, as it probably should.

Cause 2 is due to application components not being complete prior to substantive review and can occur in all license processing models. This is probably the major cause of delay found in the Department. Article 7.1 now requires the Department to aggressively identify such applications and not let them proceed to substantive review; or, once in substantive review, not to let them proceed without a response to a comprehensive request for more information. The Article's time-frame suspension provisions is something not now available to most licensing programs. The ability to suspend the time under Article 7.1 should eliminate this as the most likely cause leading to the majority of late licensing decisions as it is at present.

Cause 3 is due to the reviewer acquiescing to the applicant's request to change application components and substitute a new proposal requiring additional review not indicated in the original application. This as a cause of delays usually occurs only in Model E and F license types although it might occur in Model D as well. This is usually the primary cause for delays in applications that have remained in review for very long periods in excess of times in statute or rule. This is especially true in programs that charge review fees by the hour. In the past, the Department has usually allowed applicants to change proposals at will. Article 7.1 now stops that practice by requiring applicants to submit all requirements with certainty at the beginning of the process; no changes may be accommodated. The Article impliedly requires an applicant to withdraw and reapply if a change is desired. This proposed rule offers an alternative to this requirement as shown in R18-1-511. If used, this allows the Department to take some or all of the review time and fees already expended on the original proposal and credit them to a new application by means of a changed application agreement in accordance with R18-1-511. Whether or not use, changed applications as a cause for delay seems likely to disappear under Article 7.1.

Cause 4 is due to disagreements with the applicant concerning exactly what application components are necessary. This as a cause of delays occurs only in Model E and F license types as such disputes in Model C and D license application result in summary denials. Although this as a cause does not happen often, when it does it can result in considerable delay. Department practice usually has been to attempt to reach an amicable agreement with the applicant. Such interaction can result in the application reviewer spending a great deal of time with the applicant in an attempt to explain the necessity for the requested information; sometimes to no avail. Often, this can result in numerous defective resubmissions causing further extensive delays. Article 7.1 changes this. Under threat of sanctions, the Department can no longer afford to enter into protracted discussions with applicants concerning the necessity of requested information. This proposed rule provides a method to resolve the matter in R18-1-520 which allows an applicant to give the Department formal notice of a dispute over application requirements which, in turn, allows the Department to accelerate the dispute to a final licensing decision subject to appeal. Whether appealed or not, the licensing decision will be made timely. This should eliminate such disagreements as a cause of delay in the future.

Cause 5 is due to the subject matter of the applicant's proposal being too complex, large, novel, or technically difficult to allow sufficient review within the review time limit. This as a cause of delays occurs only in Model E and F license types and occurs in only a few applications every year. This proposed rule recognizes this and provides for both a standard and complex category in these instances. Applications fitting the complex category would then allow the Department additional time to complete the required review. Use of the complex category should eliminate this as a cause of delay in the future.

4) The Economics of Licensing.

The preliminary summary of the economic, small business, and consumer impact analysis for this proposed rule follows at § 7 below. An introductory discussion, however, may be helpful in understanding the Department's general approach in developing this rule by outlining the Department's view of certain underlying principles in the licensing process, society's expectations in

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the outcomes of licensing activities, and the interplay between the two. This is important so as to understand the Department's fundamental desire to avoid unintended or unexpected adverse effects on applicants as the Department implements the statutory mandate of the licensing time-frames statute.

In this case, the Department expects to move as quickly as possible to implement the statute fully while, at the same time, begin with a time-frames overlay rule flexible enough so as not to cause undue burdens on applicants. As applicants, the Department, and others obtain practical experience under the rule, clearer choices can be made to adjust the rule to fit the needs of all parties to the licensing transactions administered by the Department. The nature of this rule will require the Department to initiate a housekeeping rule making to amend the rule at least annually if only to make adjustments to license categories as licensing program requirements evolve in response to annual statutory changes. At the same time, other adjustments can be made to all portions of this rule in response to experience gained under its operation. In this initial rule making, however, the Department believes it essential not to disrupt current expectations of the Department's licensing activities other than to encourage and assist applicants to achieve approvable applications as early in the licensing process as possible.

The Department's fundamental perspective of these issues is based on the fact that the licensing activities of the Department all involve regulation of environmental matters in some way. Any rule implementing the licensing time frames statute must change the Department's current methods of license application review in a number of important ways. Some of these are sure to have economic impacts on all parties to the transaction; individual license applicants, classes of regulated entities, the Department, and the society-at-large.

In its simplest terms, the Department's licensing activities responds to three sets of competing regulatory forces. The first comes from the viewpoint of an entire class subject to regulation, the second from the viewpoint of the individual licensee, and the third from the viewpoint of society. Often this means licensees as a class may urge the state to use its power to control externalities, provide a shield to liability, exclude or limit competition, and otherwise promote the interests of the class of licensees. Individual licensees may urge the regulating authority to apply varying standards within the class in regards to qualification or compliance requirements. Individual licensees may also compete among themselves for preferential access to the regulating authority's resources. This includes obtaining precedence over others for license application review resources; a recurring consideration especially during periods of growth in application numbers. Society, on the other hand, is usually more interested in controlling the results of specific activities based on perceptions of economic, moral, aesthetic, or other grounds and either (1) promoting those thought desirable or (2) prohibiting or reducing those thought undesirable.

The intersection of all these competing forces can result in a compromise, referred to here as the licensing transaction. This transaction has two classic forms, both of which result in a perceived decrease in the objectionable activity regulated. One form is to ration with or without conditions; the other is to force compliance with a set of predetermined conditions. Many licensing schemes combine elements of both. Using the first licensing transaction form (rationing), the state sets overall limits on activities that are perceived as capable of yielding the desired result, either directly or indirectly. Using the second licensing transaction form (compliance), the state agrees to exclude others from a certain field in exchange for a promise by the licensee to operate under certain conditions. The greater the economic rewards for operating in the regulated area, the more conditions licensees are willing to accept. When the burdens of the imposed conditions become greater than the economic benefits available to licensees, society must provide greater incentives or the numbers of those willing to operate under the license will decrease. If the activity is one that society wants or has a need for, those incentives will be found; otherwise, the activity will be allowed to disappear.

A classic example of the rationing model is the acid rain program. The Clean Air Act prescribes a combined maximum level of SO₂ emitted nationwide by all entities within a certain class. New entrants into the class must purchase needed emission rights from existing sources so that the total from all sources remains below the fixed ceiling. Classic examples of the compliance model are the various operator or service provider certifications administered by the Department. These are forms of occupational licensing. The purpose of this form of licensing is to insure a minimum level of competence and responsibility for persons conducting the regulated activities. The number of qualified licensees can increase without theoretical limit without adversely degrading the desired result of the licensing scheme.

Most licensing programs administered by the Department combine elements of both models. In this combined form, a compliance model is implemented but the level of compliance required will change as more licensees enter the field. One example is the state's vehicle emission inspection program. Current regulation sets a fixed compliance level and all applicants who comply will be given a license requiring compliance at the same fixed level. Should the numbers of licensees increase to the extent that the fixed compliance level no longer meets the overall expected result, a new fixed compliance level may be set. In this case, the new level will apply to all licensees and not just to new applicants. This is an example of a regulatory scheme in which the rationing element of the model is spread equally among all members of the class through periodic adjustment as the renewal of licenses become due. A somewhat different example of the combined model may be found in the aquifer protection permit (APP) program. Here, although water quality standards are equally applicable to all licensees, individual compliance limitations for a new licensee may vary from conditions imposed previously on other licensees in the same area. This is because technology requirements for reducing discharge (best available demonstrated control technology or BADCT) for a new license may vary from previous licenses. Usually, BADCT requirement conditions contained in licenses issued for existing facilities (those already discharging when the APP program was instituted) are not as stringent as those for new facilities because of the difficulty of retrofitting pollution control technology. This means that licenses for new facilities may contain requirements to install better discharge control technology than required for existing licensees because that technology has become available on an industry-wide basis, that is, the technology is BADCT. In this case, the rationing element of this model may be disproportionately shared among fellow licensees and this inequality may not be suitable for periodic readjustment due to the long term per-

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sistence of the water quality degradation that gave rise to the inequality in the first place. This is a case where later entrants into the class may be required to operate under different compliance requirements due to the existence of previous entrants. This example illustrates how a compliance licensing model based on an overall rationing goal may result in long-term permit condition inequality among fellow licensees.

Department review of applications received in response to the various rationing or compliance licensing models described above requires differing levels of resources, technical expertise, and level of scrutiny. A successful licensing time-frames rule is one that responds appropriately to these varying complex licensing types, changing economic considerations, and changing environmental strategies while, at the same, satisfies stakeholder expectations and fulfills the Department's statutory obligations. This rule proposed today springs directly from the Department's view of what it interprets its role under statute to require: license, oversee, enforce, advise, and assist those involved in those activities identified in statute as subject to the Department's regulation. Licensing is an important of this mandate but it is not the only mandate. This proposed rule represents as reasoned and rational balancing of the Department's statutory obligations to police the licensing transaction while, at the same time, not to unduly burden applicants in the licensing process or impose unnecessary economic burdens on society.

5) The Massachusetts Experience.

The only other statutory equivalent to Article 7.1 is Massachusetts' timely action statute, Mass. Gen. L. ch 21A, § 18, and its implementing rule promulgated by the Massachusetts department of environmental protection (DEP). Mass. Regs. Code tit. 310, § 4. The Massachusetts law applies only to its DEP and, then, only to licenses incurring application review fees. Article 7.1, on the other hand, applies to almost all state agencies and applies to applications without regard to whether a review fee is required or not. DEP has operated under this statute since 1991 and has experienced a refund rate of less than 0.5%. The Department understands that both DEP staff and applicants find life under the timely action rule more satisfactory than before 1991. The Department has looked closely at DEP and has attempted to learn from their 7 years of experience. This proposed rule contains many elements based on that experience including the underlying rationale that the primary purpose of Article 7.1 is to encourage timely decision making and not to encourage refunds.

D. Department Response.

The Department has a certain degree of discretion in handling how it will promulgate rules implementing Article 7.1. If the Department wants to exert a high degree of control over the imposition of sanctions, it must define most or all of the ambiguous terms in the Article and define the starting, running, suspending, resuming, ending, and expiring of the time-frame clocks with specificity. Ignoring the ambiguities can only increase sanction risks and the resulting pressure to either increase fees on fellow licensees or suspend or curtail Department activities.

1) The Basic Statutory Imperative.

The basic statutory imperative of Article 7.1 appears to be that an agency should refund application fees when it fails to make a licensing decision on an application within a specific number of days as set in rule; a kind of "money-back guarantee." To this end, the Article requires agencies to identify all licenses they issue, set review times for the licenses in rule, and then process applications for those licenses using a series of written notices, requests, and agreements in a much more formal process than is now the case.

Although the plain meaning of the Article appears rather applicant-hostile (especially as compared to current Department practice), it is unlikely that this was the actual intent of the Legislature. For example, the Article provides that agencies should have adequate time to review applications but does not provide additional time for applicants to cure defective applications other than to respond to certain highly formalized and restrictive written notices and requests. Further, the Article forces applicants to submit complete applications at the beginning of the process, ignores the possibility of phased application submittals, essentially prohibits applicants from changing application components and proposals once submitted, and ignores the possibility that applicants may want to delay certain events during the licensing process such as public hearings, Department response to issues raised at hearings or during public comment, or summary denials due to defective applications. These restrictions do not affect the disposition of Model C and D license processing types but do significantly diminish applicant control and options in Model E and F types. As between reviewing agencies and applicants, the Article places the greater new burdens by far on applicants.

In promulgating rules implementing Article 7.1, the Department must balance the requirement to impose a much more formalized and restrictive application review process on prospective licensees while continuing to implement other statutory imperatives to cooperate with and assist applicants in obtaining licenses.

2) New Documents Required by Article 7.1.

The Article identifies 6 significant documents not previously defined and requires the Department to issue them to applicants as appropriate when complying with the Article. The Department must develop forms for all 6 as appropriate to respond to each type of license requiring substantive review it issues. The risk of sanctions will vary depending upon the availability and use of each document.

Notice of administrative completeness. Only a written notice meeting the requirements of A.R.S. § 41-1074(A) will have the power to stop the administrative completeness review time-frame clock and start the substantive review time-frame clock early. The Article requires the Department to issue this notice if it can. This proposed rule addresses this requirement in R18-1-503.

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Notice of deficiencies with a comprehensive list of specific deficiencies. Only a written notice meeting the requirements of A.R.S. §§ 41-1074(A)-(B) will have the power to suspend the administrative completeness review time-frame clock. This proposed rule addresses this requirement in R18-1-503.

Comprehensive request for additional information. Only a written request the requirements of A.R.S. § 41-1075(A) will have the power to suspend the substantive review time-frame clock. This proposed rule addresses this requirement in R18-1-504.

Supplemental request for additional information. Only a written request meeting the requirements of A.R.S. §§ 41-1075(A)-(B) will have the power to suspend the substantive review time-frame clock. This proposed rule addresses this requirement with the use of supplemental request agreements governed by R18-1-509.

Notice granting license. Only a written notice meeting the requirements of A.R.S. § 41-1076 will have the power to stop the time-frame clocks. This proposed rule addresses this requirement in R18-1-507.

Notice denying license with statutory or regulatory justification and explanation of appeal rights. Only a written notice meeting the requirements of A.R.S. §§ 41-1076(1)-(2) will have the power to stop the time-frame clocks. This proposed rule addresses this requirement in R18-1-507.

The Department may define and use other documents than the basic 6 identified above. None are specifically required by the Article but the following 4 other documents can be inferred and probably are useful in maintaining Department control over the three time-frame clocks.

Notice of Department receipt of initial application. This document can be inferred from A.R.S. § 41-1072(1) and its use could fix the start of the time-frame clocks. This proposed rule addresses this requirement in § 501(11)(c) and allows to Department to issue a notice fixing the date of Department receipt under certain circumstances.

Notice of Department receipt of all information requested on the comprehensive list of specific deficiencies. This document can be inferred from A.R.S. § 41-1074(C) and its use could fix the resumption of the administrative completeness review time-frame clock. This proposed rule addresses this requirement in R18-1-501(13)(c) and allows to Department to issue a notice fixing the date of Department receipt under certain circumstances.

Notice of Department receipt of all information requested on the comprehensive request for additional information. This document can be inferred from A.R.S. § 41-1075(A) and its use could fix the resumption of the substantive review time-frame or time-frame extension clock. This proposed rule addresses this requirement in R18-1-501(13)(c) and allows to Department to issue a notice fixing the date of Department receipt under certain circumstances.

Notice of Department receipt of all information requested on the supplemental request for additional information. This document can be inferred from A.R.S. § 41-1075(A) and its use could fix the resumption of the substantive review time-frame or time-frame extension clock. This proposed rule addresses this requirement in R18-1-501(13)(c) and allows to Department to issue a notice fixing the date of Department receipt under certain circumstances.

3) Public Participation and a Flexible Rule

This proposed rule explores the Department's determinations and beliefs as to its discretion to provide flexibility to applicants under Article 7.1. The Department solicits comment on this approach including determinations of discretion to act, whether the features proposed actually do benefit applicants as intended, and whether other features may provide more effective or efficient flexibility for applicants. One goal of this approach is to bring the regulated community into compliance with state law by encouraging applicants to fashion an approvable application when they apply in the first instance. This approach is the Department's preferred alternative.

The Department arrived at this determination after extensive public participation, first, in the development of general policy objectives and, second, in the decision making of what a successful licensing time-frames rule should look like.

In November 1996, the Department began serious analysis of its rule development needs to accomplish a successful licensing time-frames rule making within the statutory deadline of December 31, 1998. At first, the Department expected to respond with separate rule makings on a program-by-program basis as this has always been how the Department has proceeded with rule making in the past. By January 1997, it became clear that only a unitary rule making with uniform definitions and procedures applicable to all programs was practical. The Department then established an internal task force of 18 persons from various licensing programs to construct a work plan. That task force quickly grew to 40 in order to provide representation from all programs with a stake in the rule making.

The Department task force analyzed the Massachusetts experience with its own timely action statute and concluded that a central tracking system was essential. This further reinforced the need for a unitary rule. In May 1997, the task force (now expanded to 70) circulated an internal rule draft to over 120 persons throughout the Department and devised a public participation plan. This began with hiring L.L. Decker & Associates as 3rd-party facilitators to assist in devising the plan. This plan began with an invitation to about 20 representative stakeholders to meet as a group to critique a long-term public participation plan.

As a result, the Department modified its plan and proceeded to conduct a series of 10 focus groups in July 1997 in Phoenix, Tucson, and Flagstaff with persons invited from a wide range of representative stakeholder communities. The results of these focus groups and a detailed discussion of the issues was reported in a 16-page special edition of the August 5, 1997 *ADEQ Rulesletter*.

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The Department then prepared a draft rule for public stakeholder review and informal comment on September 22, 1997. The draft was also made available on the Internet. The draft responded to the focus group comments and contained 18 tables with 379 license categories. This draft was then used to conduct 23 half-day public workshops in Phoenix, Tucson, and Flagstaff in October and November 1998. A follow-up workshop was held in January 1998 to review Table 2, Class II Air Licenses, in response to comment received in the earlier workshops.

In working towards a proposed rule package, it became clear in May 1998 that one set of licenses had been overlooked in the earlier draft rule; those dealing with certain safe drinking water monitoring and treatment licenses issued outside of regular construction licenses. The Department had engaged this stakeholder group in the earlier round in two other licensing areas (construction approvals and operator certifications) but determined that it was essential to interrupt the process to engage them specifically in this third area of licensing activity. The Department then held another focus group in June 1998 for this stakeholder group, issued a draft table (now shown as Table 8 in this proposed rule) and issued a second 16-page special edition of the *ADEQ Rulesletter*, this time focused on the licensing time frame issues of this group. In order to provide adequate notice of additional informal public workshops on these licenses, the Department then held 6 additional workshops in September 1998 in Phoenix, Tucson, Yuma, Bullhead City, Cottonwood, and Show Low.

During the course of the development of this proposed rule, many stakeholders expressed the desire to split a number of the categories shown in the September 1997 draft in order to provide more options and flexibility for their benefit. This the Department did. In addition, the Department also recognized stakeholder desires to expand the range of licenses available at the Southern Regional Office in Tucson and the Northern Regional Office in Flagstaff. In all, this proposed rule now identifies 599 license categories.

The Department expects to continue its vigorous public participation policy after proposal in order to obtain a full range of public comment on all aspects of this proposed rule prior to submission of a rule text to the governor's regulatory review council (GRRC) for approval.

The most visible result of public participation in this rule making is the extensive inclusion of flexible provisions to assist applicants to work towards an approvable application as quickly as possible without being subjected to summary denials.

4) Rule Text Policy Alternatives Contained Within This Proposed Rule

This proposed rule package contains a number of rule text alternatives based on several policy choices available to the Department. Based on public consideration, input, and comment during the formal comment period, the Department will make choices among the several alternatives before submitting a rule text to the governor's regulatory review council (GRRC) for review and approval. An agency may not submit a rule that is substantially different from the proposed rule contained in the notice of proposed rule making or contained in a subsequent notice of supplemental rule making published in the *Arizona Administrative Register*. A.R.S. § 41-1025(A). All the following must be considered when determining whether the rule submitted to GRRC is substantially different from the proposed rule published in the *Register*:

1. The extent to which all persons affected by the submitted rule should have understood that the published proposed rule would affect their interests.
2. The extent to which the subject matter of the adopted rule or the issues determined by that rule are different from the subject matter or issues involved in the published proposed rule.
3. The extent to which the effects of the adopted rule differ from the effects of the published proposed rule if it had been adopted instead.

A.R.S. § 41-1025(B).

The decision of which rule text alternatives to include in the rule submitted to GRRC will depend on three primary policy considerations: (1) to what extent does the Department have legal authority to promulgate a rule provision, (2) to what extent must the Department adopt a phased implementation program to respond to resource constraints, and (3) to what extent does the public want the Department to make certain choices in the submitted rule. The Department has already explored all three considerations in great depth during the last 18 months and expects to continue to promote and facilitate further detailed discussions with all parties prior to the close of the public record.

a. Primary policy alternatives.

This proposed rule contains many provisions intended to provide as much flexibility to applicants as possible. These include provisions (1) that suspend time-frames under certain circumstances while applicants attempt to cure certain very specific defects in their applications and (2) that allow the Department and applicants to enter into licensing time-frame agreements to accommodate phased and changed applications as well as to allow imposition of this rule on certain applications otherwise exempt. Should such flexibility be considered as without authority or unwanted by the public, the Department's primary alternatives are to delete the provisions in whole or in part and either submit extended time-frames as appropriate in some or all categories so as to allow applicants to cure defective applications or it may be to keep some or all time-frames the same and, as a result, restrict applicant's abilities to cure defective applications.

b. -Applicability rule text alternatives.

The proposed rule shows the Department's determination of the entire scope of applicability of Article 7.1 to the Department's

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licensing activities. The Department may reduce the extent of applicability in the rule submitted to GRRC but will not expand the extent in this rule making. The Department expects to reduce the applicability of Article 7.1 only if there is general agreement that the Department erred in its interpretation of the statutory mandate of Article 7.1. The Department will then delete licensing activities identified in this proposed rule that it determines it does not have the legal authority to include. The primary discussion of the Department's current understanding of the applicability of Article 7.1 occurs below at § 5(E)(1) concerning what is a "license" subject to Article 7.1.

If it is determined that the Department should expand the reach of Article 7.1 to include activity not covered in this proposed rule, the Department will promulgate that expansion in a separate rule making. This is because such a change is sure to increase the subject matter of the proposed rule and require, at least, a supplemental notice of proposed rule making before the Department may submit this type of change to GRRC for approval. Delaying such changes to a separate rule making will allow submission of the current proposed rule to GRRC at the earliest possible date. This, in turn, will ensure the earliest possible effective date for the rule. The Department expects to propose at least one rule each year to amend the licensing time-frames rule to incorporate revisions to the tables and perhaps other sections of the rule. Expansion of the reach of Article 7.1 to the Department's licensing activities can be addressed in the next annual rule revision.

c. License category rule text alternatives.

The Department has shown its preferred arrangement of license categories on the proposed tables. The Department may adjust the categories in several ways in the rule submitted to GRRC for approval. This includes combining or splitting the categories shown or revising the statutory and rule citations, time-frame days, and application components.

Adjustment of the citations and identification of application components, if made, will not represent substantial changes to this proposed rule because, in every case, they will represent clerical adjustment of what is already required by this proposed rule text. Changes to application components concerning "site inspection required," for example, will not constitute substantive changes to the license category because their identification merely represents what is already required by other existing statutes or rules and not by this proposed rule in the first instance. The same applies to statute and rule citations on the tables.

Changes to the days will not constitute substantial changes if they are made as trade-offs to other changes in the submitted rule so long as the entire package of changes taken as a whole do not represent a substantial change as defined under A.R.S. § 41-1025(B). Assuming current practice that approvable applications are approved as soon as they are determined to be approvable, simple changes in times without offsetting changes elsewhere in the rule may represent substantial changes requiring reproposal. Such changes must be considered on a case-by-case basis. In general, reducing time-frames is more likely to represent a significant change than extending time-frames. Changes in time-frame periods have little effect on applicants who comply with their primary statutory duty to submit complete, approvable applications at the beginning of the process. The change in time-frame periods primarily affects applicants who did not so comply and who now require additional time in an attempt to achieve an approvable application. Those applications requiring only a small amount of correction usually need less time to comply than those applications requiring a great deal of correction.

d. Licensing time-frame rule text alternatives.

Deletion of some or all of the flexible provisions of the rule will require changes to the rule text. Whether these will represent substantial changes must be determined on a case-by-case basis.

e. Licensing time-frame agreements rule text alternatives.

Deletion of the licensing time-frames changed application agreement provision may require a corresponding extension of licensing time-frames for some or all categories. Deleting this provision while keeping time-frames the same may represent a substantial change in all the categories with licensing Model E and F processing types. (See § 5(C)(3)(a) for license model types.) This is because such a result is certain to increase denials or give applicants approvals for obsolete proposals they no longer find advantageous.

Deletion of the licensing time-frames pre-application agreement provision may not be possible in its entirety due to direct conflict in statutes other than Article 7.1 that require the Department to process certain applications with application components submitted late in the review process.

Deletion of the licensing time-frames reactivated or opt-in agreement provisions will not represent a substantial change. Reactivated time-frames would only occur if the applicant failed to comply with other statutory duties to submit all components complete on day 1 of the application. Opt-in time-frames would only apply to applications not originally required to be subject to Article 7.1. Both, however, may represent significant advantages to certain applicants if only because they may increase applicant certainty as to when a licensing decision (to grant or to deny) will be made.

The licensing time-frames supplemental request and extension agreement provisions are expressly identified in statute and, as such, should not be deleted in their entirety in this rule. Deletion, if it does occur will probably not represent a substantial change because it may be possible to still offer them directly by statute although it is not clear if the formal procedures applicable to these agreements must still be in rule. See A.R.S. § 41-1003 requiring all formal procedures available to the public to be in rule.

f. Licensing time-frames suspension rule text alternatives.

This proposed rule contains a number of suspensions not expressly stated in Article 7.1: R18-1-514 pending payment of fees, R18-1-515 due to changed applications, R18-1-518 due to emergencies and upset conditions, R18-1-520 due to notice of intent

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to rely on the application components submitted, and R18-1-521 due to notice of intent to rely on the license category. The Department's main rationale for including these suspensions is to allow shorter time-frames. One alternative is to delete all these suspensions and increase time-frames on the assumption that such times may be needed by applicants.

A second alternative is to identify numerous companion categories with lengthened time-frames with the specific events giving rise to the suspensions in this proposed rule presented as additional application components in the alternative rule. For example, in exchange for the deletion of the emergencies and upset conditions provisions in R18-1-518, all approval-of-construction license categories on Tables 5 through 7 could be doubled with companion categories added for each existing category with the additional requirement of "with site inspection delayed because of lack of access due to weather or other natural conditions" and the additional of 30 days. This approach would more clearly restrict the ability of the Department to declare a time-frame suspension but would complicate the resulting rule by a significant amount.

A third alternative is to delete the suspension provisions and leave the time-frames unchanged. This may represent a substantial change. Deleting this provision while keeping time-frames the same may represent a substantial change in all the categories with licensing Model E and F processing types. (See § 5(C)(3)(a) for license model types.) This is because such a result is certain to increase denials or give applicants approvals for proposals they no longer find advantageous.

E. Statutory Objectives.

Before proposing a rule, A.R.S. § 41-1035 requires an agency to determine the relevant statutory objectives that form the basis of the rule so as to perform a rule impact reduction analysis regarding the class of small businesses. Determinations necessary to perform that analysis are also relevant to other analyses of the proposed rule.

1) Only Certain Licenses Administered by the Department Are Subject to Article 7.1 Licensing Time-frames Requirements.

What exactly are licenses subject to Article 7.1 requirements? The Department has determined that it must be a permission that (1), if granted, will change the licensee's legal rights, duties, or privileges under state or federal law and (2) is granted affirmatively by the Department after receipt of a request to issue the license by the prospective licensee. The Department has also determined that a license that passes these first two steps is nevertheless excluded from Article 7.1 if it is (1) issued at the Department's initiative, (2) granted by default if the Department does not make a licensing decision within a specified time, (3) obtained pursuant to an enforcement or compliance order targeted at the applicant that imposes additional application components not identified in a license category in this rule, (4) issued by a political subdivision of the state when acting in accordance with an agreement that requires the subdivision to issue the license under its own governmental powers, (5) obtained pursuant to compliance activity in accordance with a previously obtained license except for revisions and renewals, (6) obtained pursuant to a contractual agreement with the Department, (7) activity that leads to the revocation, suspension, annulment, or withdrawal of a license, (8) the result of an application first received prior to Department receipt of the first acceptable application component, or (9) issued normally within 7 days after receipt of the initial application. The Department arrived at this determination as follows.

Article 7.1 requires the Department to establish "overall time frames during which the agency will either grant or deny each type of license it issues." A.R.S. § 41-1073(A). The Department "may adopt different time frames for initial licenses, renewal licenses and revisions to existing licenses." A.R.S. § 41-1073(B). Article 7.1 relies upon the definition of "license" and "licensing" at A.R.S. § 41-1001(11)-(12) of the Administrative Procedure Act (APA) that states that

"License" includes the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law, but does not include a license required solely for revenue purposes.

"Licensing" includes the agency process respecting the grant, denial, renewal, revocation, suspension, withdrawal or amendment of a license.

This definition of "license" is broad and, arguably, includes a very wide range of the Department's activities. In its most basic sense, then, "license" means "permission." This is both its plain meaning and usual legal meaning. Determining exactly which of the many types of approvals and permissions granted by the Department represent actual "licenses" and, of these, which are subject to Article 7.1 has required careful analysis. In some cases it has been easier to determine what is not an Article 7.1 license than what is. To this end, the Department has made the following determinations. Instances in which the Department provides some sort of permission to others seems to fall into 4 general areas: licensing, compliance, enforcement, and contractual. Although each of these activities has a central core of meaning that seems reasonably distinct from the others, substantial blurring of distinctions occurs at the edges. As discussed below, it seems reasonable that the Legislature intended that only a certain type of "licensing" activity be subject to Article 7.1. If a permission or license falls more clearly within the other activities identified above, it seems reasonable that it should be excluded from coverage by the Article.

a. Permission required by law.

The APA defines "law" as "the whole or part of the federal or state constitution, or of any federal or state statute, rule of court, executive order or rule of an administrative agency." A.R.S. § 41-1001(16) ("provision of law"). The meaning is broad. This means that a "permission required by law" probably means a "permission required by any law." In this regard, the Department has determined that to be subject to Article 7.1, an application must contain some request of the Department to issue a permission that, if issued, has a reasonable probability of altering the requestor's rights, duties, or privileges under the law. This means that requests for Department actions that probably will not change the requestor's legal status are excluded. Examples of how a

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person's legal status might change include a Department determination that allows a person to do some act otherwise prohibited by law or allows a person to refrain from some act otherwise required by law. This can include changes that shield a person from enforcement, alters the extent to which a person must remediate or do some other act required by law, alters a person's prime facie case in state or federal court, qualify a person to receive a state or federal tax refund, or otherwise places a person in a different position in regards to the law.

The Department has determined that it is irrelevant to this analysis (1) whether or not the decision by a person to submit an application to the Department was, in itself, voluntary or (2) whether or not the person could have achieved by some other means the same change in that person's rights, duties, and privileges under law as that provided by a determination issued by the Department. For example, no one in Arizona is actually "required by law" to apply for and obtain an Arizona driver's license. A person can find alternative ways to use the public rights-of-way and avoid enforcement for not possessing a driver's license including walking, riding a bus, or using a chauffeur. In addition, a person can drive legally in Arizona without obtaining an Arizona driver's license. It can be just as legal to drive in Arizona with a valid driver's license issued by another state or by a foreign government. Here, the choice of alternative means of avoidance or compliance are irrelevant to the change in a person's legal rights, duties, and privileges that an Arizona driver's license, in law, actually confers on a person once it is issued. This means that once obtained, an Arizona driver's license gives the licensee the necessary "permission required by law" to drive in the public rights-of-way. The Department has applied this same logic to its own licensing activity.

b. Licenses created by notification.

Article 7.1 places a narrowing qualification on the APA definition of license. The Article applies only to licenses an agency "issues." A.R.S. § 41-1073(A). The Department administers a number of licenses that result from laws requiring notification to the Department of a proposed activity before proceeding but that do not require the Department to respond or issue any form of affirmative permission. Mandatory notification or reporting requirements including those creating licenses by the mere act of notification may prompt the Department to investigate and that, in turn, may lead to enforcement or compliance orders of various kinds. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licenses created by notification. This makes sense as such licenses produce no affirmative Department activities that qualify as administrative completeness review, substantive review, or license granting. This determination appears in this proposed rule as R18-5-102(A)(2).

c. General licenses.

Article 7.1's limitation only to licenses an agency "issues" also excludes classic general licenses. These are licenses obtained by a person by mere compliance with terms and conditions identified in statute or rule and that do not require the person to notify the state. The Department administers a number of these types of licenses and may not even know who may be operating under the licenses. Failure to comply with a classic general license, once obtained, is dealt with under the Department's enforcement, not licensing, authority. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licenses created solely by actions by persons independent of Department review and approval. This determination appears in this proposed rule as R18-5-102(A)(1). The Department also issues a number of other licenses called "general" in statute or rule but that, in fact, are licenses that require an application, are issued by the Department, and are subject to Article 7.1.

d. Licenses granted at the Department's initiative.

The Department administers a number of licenses that are initiated by the Department but that do not require the submission of an application by the prospective licensee. These usually involve the unilateral amendment of an existing license as required by statute or rule. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licenses created solely by actions of the Department. This determination appears in this proposed rule as R18-5-102(A)(3).

e. Licenses granted by default.

The Department administers a number of licenses that are granted by default if the Department fails to make a licensing decision within a certain time specified in statute or rule. This means that the applicant will always know the outcome of an application by a fixed time that can never be extended. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licenses granted by default should the Department fail to make a licensing decision within a specified time. This determination appears in this proposed rule as R18-5-102(A)(4) and no such licenses are shown on the license tables.

f. Enforcement licenses.

This class consists of licenses obtained pursuant to enforcement or compliance orders or settlement agreements targeted at a person that require the person to submit an application but that also require the application to contain one or more additional components not identified in a license category on the license tables of this proposed rule. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licenses resulting from applications for licenses not specified on the license tables of the rule. This determination appears in this proposed rule as R18-5-102(A)(5) and R18-5-102(A)(6).

Enforcement activities by the Department include a variety of permissions including acceptance and approval of compliance with orders or settlement agreements. Once obtained, these approvals can provide recipients with permission of conduct and facilities that operate very much as permission or approvals obtained under a traditional license or permit. In exchange for certain conduct, a person is deemed in compliance with state law and is shielded from further enforcement action by the Department. Moreover, the requirement to apply for an obtain a license is often a condition of an enforcement or compliance order or settlement agreement, further blurring the distinction between prospective traditional licensing and individualized after-the-fact enforcement activities.

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The primary difference between a license granted to an applicant in the first instance and one granted pursuant to an enforcement activity is that for the former, the applicant is one of a class defined prospectively in statute or rule and the sole relevant relationship between the applicant and the Department is the application itself. It is in this context that Article 7.1 has relevance and meaning. For the later, the applicant is one identified and targeted in an enforcement action and the relevant relationship between the applicant and the Department is much broader than the application alone. Such an application often carries considerable baggage with complex, difficult, and unresolved issues. In this context, Article 7.1 seems to have little relevance or meaning. First, prospectively defined license categories cannot reasonably conform to the individualized after-the-fact focus inherent in enforcement orders. Second, other pending enforcement issues outside the license application itself may interfere with a simple and orderly review. Third, reviewing an application in the context of an enforcement action is usually far more complex than reviewing an application submitted in the first instance. Finally, allowing such an applicant to compete for a refund under Article 7.1 is sure to set up serious conflicts in an overall enforcement action which may require the applicant to pay other costs than just the application fee.

Still, the Department has determined that licenses applied for pursuant to an enforcement or compliance order naming the applicant or pursuant to a settlement agreement are subject to Article 7.1 requirements if the license applied for appears on a license table in this rule and requires only the application components identified in that category. On the other hand, applications that require the applicant to submit components not identified in the license category or that require the Department to make preliminary determinations not usually required for normal applications in the same category in the rule are excluded from Article 7.1 requirements.

g. Licenses issued by political subdivisions.

Article 7.1 applies only to licenses issued by "agencies." A.R.S. § 41-1073(A). The APA limits "agency" to state agencies and excludes political subdivisions of the state. A.R.S. § 41-1001(2). The Department has many delegation and other intergovernmental agreements with political subdivisions of the state that require the subdivisions to issue licenses. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licenses if the political subdivision is issuing the licenses under its own governmental authority. This determination appears in this proposed rule as R18-5-102(A)(7).

On the other hand, the Department has determined that licenses issued by a Department agent are subject to Article 7.1 if the agent issues licenses under agreement with the Department and that agent has no power to issue licenses but for the authority of the Department. This means that a license issued by a political subdivision does require the Department to impose Article 7.1 requirements on the license if the political subdivision is acting as the Department's agent and has no governmental authority to issue the license but for an agreement with the Department.

h. Compliance licenses.

Traditional licensing activity divides into two categories: activity aimed at obtaining the license and activity resulting from compliance with the license once issued. The Department has determined that it is only the first activity that is subject to Article 7.1. Obtaining a license means doing some act or acts that results in the granting of the license. For a classic general license, conformance of conduct to a specified manner without more may be enough to obtain the license. Other licenses may require more such as a formal application, the submission of specific information, and proof of qualifications. Once granted, a license may contain conditions requiring the licensee to obtain additional approvals from the Department upon the occurrence of certain events, the failure of which to obtain may subject the licensee to enforcement action. These may represent licenses obtained to maintain compliance with the original license such as approvals of reports and inspections. The Department has determined that the statutory objectives of Article 7.1 do not extend to licenses required to conform activity to an existing license, the exception being revisions and renewal licenses as these are specifically mentioned in the Article. This determination appears in this proposed rule as R18-5-102(A)(9).

The license tables of this proposed rule identify 599 license categories. The Department estimates that the inclusion of compliance activity licenses as subject to Article 7.1 could require the addition of at least another 2500 license categories.

i. Contractual licenses.

Contractual activities by the Department include such matters as the approval and acceptance of office supplies obtained under a procurement contract or the approval of a corrective action plan done under a state assurance fund (SAF) grant agreement. The APA exempts "matter[s] relating to agency contracts." A.R.S. § 41-1005(a)(16). Technically, then, all matters related to Department contracts are exempt from Article 7.1. But what, exactly, constitutes a matter "related" to an agency contract? The line between a contractual and a licensing relationship is not always clear. In a sense, the types of approvals that result from the operation of contractual terms and conditions do seem to be a type of "permission required by law" in that a party to a contract can be bound to act in accordance with the contract by law. Even without the specific APA exclusion for contractual matters, the Department would still believe it reasonable that permissions or licenses arising out of contractual relations are not subject to Article 7.1 requirements. Specific contract terms or, in their absence, general contract principles can provide appropriate remedies for the Department's failure to act in a timely manner under a contract. It seems reasonable that approvals leading to a contract should also be exempt from Article 7.1 as a matter "related" to the contract, especially if the contract requires the Department to pay the contractor as is the case under certain Department programs such as the SAF. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licenses relating to contractual activities. This determination appears in this proposed rule as R18-5-102(A)(10).

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j. License revocation, suspension, annulment, and withdrawal.

The APA defines "licensing" to also include the revocation, suspension, annulment, and withdrawal of a license. A.R.S. § 41-1001(12). The title of Article 7.1 is "licensing time frames." This suggests the possibility that such processes are also subject to Article 7.1. Analysis of Article 7.1, however, makes it clear that it applies only to reasonably foreseeable prospective licensing activity and not to individualized after-the-fact enforcement activity. The Department has determined that the statutory objectives of Article 7.1 do not extend to such licensing process such as revocation, suspension, annulment, and withdrawal activities. This determination appears in this proposed rule as R18-5-102(a)(11).

k. Retroactive effect.

Generally, "[n]o statute is retroactive unless expressly declared therein." A.R.S. § 1-244. Article 7.1 does not expressly declare that it apply retroactively to license applications currently in process when an agency's rule becomes effective. In this regard, Article 7.1 gives no direction governing how to make after-the-fact determinations of administrative completeness, suspensions of time frame clocks, and the like. Further, the effect of this proposed rule to applications already in process prior to the effective date of this rule is sure to cause severe and unfair hardship on many of those applicants if only because the formal procedures required by Article 7.1 were not in place from the beginning of the application process. This determination appears in this proposed rule as R18-5-102(a)(12).

l. Licenses issued within 7 days.

Article 7.1 exempts from time-frame requirements all licenses issued within 7 days after receipt of the initial application. A.R.S. § 41-1073(D)(2). Based on this exemption, the Department has concluded that it cannot apply time-frame requirements to several categories of licenses normally issued within 7 days after receipt of the initial application. Examples of such license categories include vehicle inspection compliance certifications which in 1996 numbered approximately 1,400,000 and generally are issued very soon after the time of the application, usually on the same day.

2) Structure of Time-frames Licensing Categories Must Be Responsive to Applicants.

Article 7.1 does not place express restrictions on the construction of specific license categories in rule once a Department has identified its entire licensing activity subject to the Article. In most cases, the division of the overall licensing activity into categories is obvious; at other times, it is less so. The this respect, an agency may divide its existing licensing activity into whatever categories it determines best responds to the needs of applicants. This is a reasonable statutory objective of § 41-1073(B) and is achieved in this proposed rule by the division shown on the proposed tables.

3) Timely Licensing Decisions Must Be Based on Sufficient Information.

Article 7.1 identifies aspects of the licensing process centering on administrative completeness review, substantive review, agreements affecting the application review process, and sanctions for untimely agency action. Additional aspects of the licensing process are identified by harmonizing Article 7.1 with other competing statutory requirements.

a. License application submission.

The term "application" appears throughout Article 7.1 but is undefined. Article 7.1 gives the term at least four distinct meanings depending on the context: an "application" is (1) whatever is necessary to begin the process and start the time-frame clocks, A.R.S. § 41-1072(1), (2) whatever is necessary to allow the Department to issue a notice of administrative completeness, end the administrative completeness review time-frame, and start the substantive review time-frame, A.R.S. §§ 41-1072(1) and 49-1074(A), (3) whatever is necessary to allow the Department to determine whether to grant or deny the license and end the time-frame clocks, A.R.S. §§ 41-1072(2) and 49-1076, or (4) whatever is necessary to qualify as "administratively complete" automatically upon the expiration of the administrative completeness time-frame and start the substantive review time-frame. A.R.S. §§ 41-1072(1) and 49-1074(C). In other words, the term may mean everything necessary to grant or deny the license and end the time-frames, or only the minimum necessary to start the time-frames clocks, or something in between.

This variation in meaning is exemplified at A.R.S. § 41-1072(1) where the term "application" appears twice in this first sentence of the Article and has a different meaning in each instance.

"Administrative completeness review time-frame" means the number of days from agency receipt of an *application* for a license until an agency determines that the *application* contains all components required by statute or rule. . . .

(emphasis added.) The first occurrence means the initial submittal which may or may not be complete. The second occurrence means the sum total of everything required of the applicant or other state agencies to support the issuance of the license.

The Department relies on the first interpretation in this instance, meaning that an application must contain sufficient components to start the time-frames clocks. This must include the applicant's name and address, the applicable license category, a fee if required, a completed Department application form if required, and a good faith effort to supply all the required application components.

b. Administrative completeness review (ACR) time-frame.

"Administrative completeness review time-frame" is defined at A.R.S. § 41-1072(1) with further detailed requirements at A.R.S. § 41-1074. The administrative completeness review time-frame begins upon receipt of an application that is sufficiently complete to perform the review and may involve some or all of the following elements.

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(1) **Notice of administrative deficiencies.** A notice of administrative deficiencies must be written and contain a comprehensive list of specific deficiencies based on statute or rule. The notice suspends rather than ends the ACR time-frame clock with the suspension lasting until the agency receives the missing information after which the clock resumes. The statute does not prohibit multiple written notices of administrative deficiencies; however, such notices issued after the ACR time-frame clock has expired will not suspend the overall time-frame (OTF) clock.

(2) **Presumptive administrative completeness.** A.R.S. § 41-1074(C) provides that an application is deemed administratively complete upon the expiration of the ACR time-frame. Presumptive administrative completeness means only that the substantive review (SR) time-frame automatically starts and does not mean that the Department is now precluded from requesting additional information or that the Department is now required to grant the application. This is because other statutes prohibit the Department from granting by default any of the licenses identified in this proposed rule. In every case, other statutes place the burden of applicants to submit all required components and prove their entitlement to a license before the law confers sufficient authority on the Department to grant and issue the license.

(3) **Notice of administrative completeness.** Department notice of administrative completeness is the only event that ends the ACR time-frame clock affirmatively prior to expiration. This notice starts the substantive review (SR) time-frame clock before the date upon which it would have started had the agency not issued the notice and had allowed the ACR time-frame clock expire through inaction. The unused days remaining on this clock are probably lost.

(4) **Submittal of information from other agencies.** A.R.S. § 41-1072(1) requires that "all information required to be submitted by other government agencies" occur within the ACR time-frame. "Agencies" means state agencies; therefore, information required from non-agencies is not covered such as response by EPA to proposed Class I permits. Such information may constitute a valid basis to deny a permit even if received during the substantive review (SR) time-frame.

c. Substantive review (SR) time-frame.

"Substantive review time-frame" is defined at A.R.S. § 41-1072(3) with further detail at A.R.S. § 41-1-1075. Moreover, A.R.S. § 41-1077 divides licenses into two groups based on whether substantive review by an agency is required before issuing a license. Licenses requiring substantive review are subject to refunds, fee excusals, and penalties. Licenses not subject to substantive review are not. The distinction between the two groups of licenses, therefore, has significant consequences for both license applicants and agencies.

The concept or meaning of "substantive review," however, is not defined or otherwise described in Article 7.1, nor is the term used elsewhere in Arizona Revised Statutes. Also, the Department is not aware of any report or other document discussing the Legislature's intent in dividing licenses into the two groups based on whether there will be substantive review.

The Department interprets "substantive review" to mean the qualitative evaluation of the information submitted in support of an application as opposed to "administrative completeness review" which the Department interprets as a clerical verification that the required information has been submitted.

(1) **Public notice and hearings.** A.R.S. § 41-1072(3) requires that "[a]ny public notice and hearings required by law shall fall within the" substantive review (SR) time-frame. The Department interprets the SR time-frame as extending until a licensing decision is made even if that decision occurs after the overall time-frame has expired. Only the SR time-frame clock expires in accordance with the days specified in this proposed rule. The alternative to this interpretation is that when the overall time-frame expires, the applicant loses the ability to hold a public hearing unless the applicant withdraws and resubmits the application.

(2) **Requests for additional information during the SR time-frame.** Article 7.1 identifies two types of information requests that will suspend the operation of the SR time-frame clocks: the comprehensive and supplemental requests. A.R.S. § 41-1075(A) states that "an agency may make one comprehensive written request for additional information" that suspends the time-frames. In context, this means a unilateral suspension. There is no prohibition on additional comprehensive written requests but only one will suspend the time-frame clocks. This makes good policy sense as well. A prohibition on the Department from informing an applicant of deficiencies means inevitable denial of the application, a result in direct conflict with the overall thrust and purpose of the Article.

(3) **Requests for additional information during a time-frame extension.** A.R.S. § 41-1075(B) provides that an agency and an applicant may agree to extend the substantive review time-frame. This means that a time-frame extension is a subset of the total substantive review (SR) time-frame and that additional comprehensive requests (one of which may suspend clocks) and supplemental requests may occur during the time-frame extension clock in the same manner as during the SR time-frame clock.

(d) Overall time-frame.

Article 7.1 identifies two types of overall time-frames. The first type is the "overall time-frame" defined in A.R.S. § 1072(2), the expiration of which leads to refunds, fee excusals, and penalties. The second type is the "statutory overall time-frame" or the "statutory licensing time-frame" identified in A.R.S. § 41-1073(B). The Department has determined that the first definition controls for the purposes of determining whether sanctions apply.

(e) Counting of time-frame days.

Article 7.1 does not define "day" nor does the administrative procedure act (APA). The choices are "calendar day," "business day," or a combination of the two. A typical compromise is to specify a certain number of days, such as 10, and define that days in excess of that number mean "calendar day" and days equal to or less than that number mean "business day." This solves the

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difficulties inherent in low-number review periods when the occurrence of weekends and holidays can substantially vary the number of business days available within a period. A similar case, however, is present in longer periods as well. A 30-day calendar period can have as many as 22 business days or as few as 18, a variance of as much as 22% (22/18). Even a 60-day calendar period can vary as much as 19% (44/37). The average is 20.6 business days per 30-day period or 20.9 business days per month. This is based on an average of 250.7 business days per 1 calendar year when business days exclude Saturdays, Sundays, and holidays.

Article 7.1 requires the Department to set time-frame periods in "days." Under the circumstances, it seems fairest to set all time-frame periods in business days no matter the length. This puts all application review periods on an equal footing no matter the day of the week or the month of the year filed. This approach also allows the Department to reduce time-frame periods to the actual number of business days believed necessary without increasing them to accommodate the variability inherent when specifying calendar days.

The Department has identified the following method for converting calendar days to business days:

| Calendar Times | Business Days | Calendar Times | Business Days | Calendar Times | Business Days |
|----------------|---------------|----------------|---------------|----------------|---------------|
| 1 week | 5 days | 3 months | 63 days | 10 months | 209 days |
| 10 days | 8 days | 120 days | 82 days | 11 months | 230 days |
| 2 weeks | 10 days | 4 months | 84 days | 12 months | 251 days |
| 15 days | 11 days | 150 days | 103 days | 13 months | 272 days |
| 3 weeks | 15 days | 5 months | 105 days | 14 months | 293 days |
| 30 days | 21 days | 180 days | 124 days | 16 months | 335 days |
| 1 month | 21 days | 6 months | 125 days | 18 months | 376 days |
| 45 days | 32 days | 7 months | 146 days | 20 months | 418 days |
| 60 days | 41 days | 8 months | 167 days | 24 months | 502 days |
| 2 months | 42 days | 270 days | 186 days | 26 months | 544 days |
| 90 days | 62 days | 9 months | 188 days | | |

The Department did not adopt of the meaning of "day" as defined at A.R.S. § 1-243 which means calendar day except when the last day is a holiday. In that case, the time extends until the next day not a holiday.

f. Suspension of time-frame clocks and lapse of application.

A primary objective of Article 7.1 is to encourage timely licensing decisions and to discourage open-ended application review periods. Time-frame clocks may suspend pending an applicant's response to certain requests for additional required information. What happens when the applicant fails to respond for an extended period? Department experience is that this often happens with the usual result that the application reviewer must relearn or reanalyze the application before being able to get back up to speed and continue forward. The longer the inactivity, the more review time is required to refresh the reviewer's understanding of the application. The Department currently has a number of applications pending in which the applicants has failed to respond in over 20 years.

In such cases, if the time-frame clock resume immediately in all cases, the Department must anticipate that possibility and factor catch-up time into the time-frame periods it sets in rule. Here, the Department has taken a different approach. This proposed rule shows times based on reasonable response times from applicants and provides that failure to make a reasonable response will cause the application to lapse from applicability under Article 7.1. This is a reasonable result. Applicants are required to submit all components complete at the beginning of the process. Those that fail to do so should be required to respond in a reasonable time so that the Department does not have to rework the application. "Lapse," in this proposed rule does not mean that the application is no longer active; only that it is no longer subject to Article 7.1 sanction and reporting requirements. This is a fair balancing to allow shorter times in this proposed rule. It also takes the pressure off the Department to issue summary denials for such applications.

(1) Failure to respond to requests for information. Article 7.1 provides that time-frames are suspended during the time between the Department's request for missing application components, request for additional information, or supplemental request for information, and the applicant's response to that request. It follows that failure to provide the requested information within a reasonable period of time should result in lapse of the application's applicability to Article 7.

(2) Failure to pay application fees. Article 7.1 does not address the consequences of an applicant's failure to pay fees other than to imply a summary or eventual denial. Fees are an application component. Other statutes require that certain license applications incur fees in phases and sometimes not until the Department concludes its substantive review of the application. In these cases, fees are not known with precision at the beginning of the application review period because statute requires that they be incur on an hourly basis. Department experience has been collection of fees after an application review has begun is problematic.

Here, the Department's response is to recognize that the time necessary for an applicant to submit a final fee after receiving a bill may vary considerably. Local governments often require significant time to authorize and make payment. This proposed rule, therefore, allows a suspension provision to handle the matter. The alternative is to extend the times on affected categories by a

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considerable period. If not, certain applicants, such as local governments, might not ever be able to submit final payment prior to expiration and therefore be subject to summary denial.

(3) Substantial change to the application. Article 7.1 requires the Department to adopt specific time-frame periods within which the Department is strongly encouraged to make licensing decisions. This requirement anticipates that the days the Department assigns prospectively to each license category will be based on certain assumptions concerning the type and complexity of the licensing activity. It follows that if the licensing type or complexity substantially changes in mid-review (during Department review of the application) due to unilateral action on the part of the applicant, the Department should give the applicant a chance to reconsider the change or enter into a changed application agreement so as to move forward without restarting the process over from the beginning. The Department has determined that Article 7.1 does not intend time-frame clocks to continue to run against the Department on an application whose nature has been substantially changed by the applicant, pending resolution of the change, because a substantially changed application is essentially a new application requiring different time-frames and possibly different application review fees.

Again, the Department's response is to accommodate this reality into this proposed rule. Here, this means that should the Department determine that an applicant has, in fact, changed the application with subsequent submittals, the Department will suspend the clocks for a short time to allow the applicant an opportunity to determine whether to continue with the original application or change and pursue a new application. Failure to provide breathing space in the form of suspension will mean increased summary denials.

Department experience is that applicants in certain licensing programs always or almost always change application proposals at least once during the review process. The department believes that applicants must have the ability to continue to have this ability without suffering the penalty of withdrawing one application in order to submit a new application with the changed proposal along with a new fee. The Department does not believe this result is required by Article 7.1

(4) Emergencies and upset conditions. This proposed rule allows moratoria on the starting of time-frame clocks and the suspension of time-frame clocks on application in process due to emergencies and upset conditions but only for very specific and narrow purposes. The inclusion of this suspension provision allows the Department to shorten all time-frame periods in this proposed rule because this provision eliminates the need to factor in the risk that certain events will prevent the Department from processing applications when those events are beyond the Department's control. This proposed rule limits this ability to suspend only for license categories subject to sanctions. This is because it is the duty of the Department to control its funds for the benefit of the public.

g. License denials and administrative appeals of licensing decisions.

A.R.S. §§ 41-1092 through 41-1092.12 govern the process by which decisions and actions by the Department are administratively appealable. Generally, a licensing decision or action that is determinative of the legal rights, duties, or privileges of an applicant is administratively appealable through the office of administrative hearings in the department of administration. This also means that a licensing decision that does not conclusively determine the legal rights or duties of the applicant is not administratively appealable.

The Department has determined that licensing decisions that determine an applicant's legal rights, duties, or privileges include the denial or conditional grant of a license and, therefore, are administratively appealable. On the other hand, unconditional grants are not administratively appealable because the applicant is being granted what it asked for in the application without additional conditions. If the Department grants what the applicant requested there can be no actual controversy over the Department's decision.

Under this proposed rule, notices of administrative deficiencies and requests for additional information are not administratively appealable. They are not determinative of an applicant's legal rights or duties because the applicant is able to require the Department to reconsider its decision to issue the notice under R18-1-520.

h. Sanctions.

A.R.S. § 41-1077 specifies the instances in which sanctions apply for failure of an agency to make a timely licensing decision. Generally, these sanctions apply only if the license category is identified in the time-frames rules, the application is subject to substantive review, a fee is charged for reviewing the application, and the fee is deposited into a Department-controlled fund. The Department must continue review and reach a licensing decision on the application even if sanctions apply.

(1) Refunds and fee excusals. A.R.S. § 41-1077(A) requires that an agency must refund to the applicant all review fees already paid and must excuse review fees not yet paid if the agency fails to make a timely licensing decision. Based on the language of that provision, the Department has determined that the refund amount is only that actually remitted by the applicant for the specific application and does not include interest.

A.R.S. § 41-1077(A) also provides that the refund must be made from the same fund in which the application fee was originally deposited. The Department has determined that it may make a refund from a fund into which a fee was originally deposited only if the fund itself is under the Department's direct control. If the fund into which the fee was deposited is not under the Department's direct control, then the Department has no authority to make the refund. Fees deposited into the state general fund, for example, are not subject to refund because the Department has no authority to make an appropriate from that fund.

This determination has little actual effect upon the Department. Fees for very few license categories are deposited in the state general fund. Mostly they the operator certification licenses on Table 9. The Department has no history of making late decisions

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on these licenses. The other example is the pesticide licenses on Table 10. The application fees for these are deposited in a department of agriculture controlled fund. The department has no experience of making late decisions on these licenses either.

(2) **Penalties.** A.R.S. § 41-1077(B) requires that an agency must pay a penalty into the state general fund for each month after the expiration of the overall time-frame or time-frame extension during which the agency has yet to make a licensing decision and which remains outstanding on the last day of the month. The amount of the penalty is 1% of the what the total application fee would have been had the Department made a timely decision. This qualification is necessary because an application may still continue to accumulate review charges at the time the penalty is due or an applicant may not have yet made all fee payments.

(3) **Annual compliance reporting.** A.R.S. § 41-1078 requires each agency to submit an annual report to the governor's regulatory review council (GRRC) containing the agency's compliance level with its overall time-frames. The report must include the number of licenses issued or denied within applicable time-frames and the amount of sanctions assessed for untimely decisions. The Department has determined that only activity for license applications subject to Article 7.1 requirements is to be addressed in the annual GRRC report.

4) The Licensing Process Must Remain Flexible to the Maximum Extent Practicable.

Article 7.1 expressly provides for supplemental request agreements and time-frame extension agreements. This proposed rule contains formal procedures for 4 additional licensing time-frame agreements for the benefit of applicants.

a. Licensing time-frame supplemental request agreements.

A.R.S. § 41-1075(A) provides that during the substantive review time-frame, an agency and an applicant may mutually agree in writing to allow the applicant to submit supplemental requests for additional information. According to the statute, the substantive review time-frame and the overall time-frame are suspended from the date the request is issued until the date the agency receives the additional information. The Department has determined that such suspensions must be based on missing information required in statute or rule and that the agreement cannot be entered in to merely to obtain additional calendar time.

b. Licensing time-frame extension agreements.

A.R.S. § 41-1075(B) provides that an agency and applicant may by mutual written agreement extend the substantive review time-frame and overall time-frame so long as the extension does not exceed 25% of the overall time-frame. The Department has determined that the basis of determining the 25% is to be the presumptive overall time frame as indicated on the proposed tables.

c. Licensing time-frame opt-in agreements.

This proposed rule contains a provision to allow certain applications pending at the time of the effective date of this rule to become subject to the rule should both the applicant and Department agree. The Department has determined that it has the authority to enter into these agreements under Article 7.1 for the benefit of applicants.

d. Other licensing agreements.

A.R.S. § 41-1004 allows a person to waive any right conferred under the administrative procedure act (APA) which includes Article 7.1. The Department has determined that the objective of this statute, as it applies to Article 7.1, is to permit a license applicant to deviate from licensing time-frame requirements that are generally applicable by rule so long as the resulting licensing process more closely suits the applicant's needs while still responding to the primary statutory objectives of Article 7.1. To this end, this proposed rule offers three additional time-frame agreement provisions: pre-application, changed application, and reactivated licensing time-frame agreements. All respond to applicants' needs. The Department has determined that it has authority to enter into these agreements for the benefit of applicants.

5) Time-frame Rules Must Take into Account 8 Statutory Considerations.

Article 7.1 requires the Department to consider 8 specific factors when adopting time-frames although no guidance is offered to assist in interpretation or application of the factors. Several of the factors do not seem relevant to the statutory thrust of Article 7.1 in that they direct agencies to consider matters that go beyond the immediate task of assigning days to time-frames. Each factor is considered in turn.

a. Licensing subject matter complexity.

Article 7.1 requires the Department to consider "the complexity of the licensing subject matter" when adopting time-frames. A.R.S. § 41-1073(C)(1). This probably means that licenses that do not require complex or lengthy application requirements and involve only routine or cursory substantive review should have short time-frames with little agency or applicant flexibility. More complex licenses may require longer time-frames perhaps with increasing agency and applicant flexibility as the licensing subject matter becomes more complex.

Licenses issued by the Department vary from simple registration licenses with no substantive review to extremely complex licenses requiring highly technical and individualized substantive review. This is due in great part to the Legislature requiring that many of the relevant application components for most of the more complex licenses be developed, formulated, and selected by applicants, not the Department. This is desirable as applicants are probably the best judge of what approach to a licensing requirement makes the most economic or practical sense. Although beneficial to applicants and ultimately to all of society, this applicant driven approach in the formulation of specific application components places an extraordinary burden on the Depart-

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ment.

It is not unusual that an applicant will propose a new technique or new form of equipment never seen previously by the Department. In an effort to accommodate the applicant's request, a reviewer may spend considerable additional time to examine and evaluate the proposal. It may become clear only after a certain amount of substantive review that additional information is required to proceed further. Alternatively, reviewer comments or questions may lead an applicant to decide to withdraw the proposal and substitute a different proposal. In the past, the Department has usually continued with the review to accommodate the applicant's change although this means further review and additional time.

The Department has applied these considerations to every license category in this proposed rule. This has resulted in many of the flexible provisions offered for the benefit of applicants including (1) splitting certain basic categories into subcategories with different times to reflect more closely the actual review needs for individual applications, (2) allowing numerous opportunities to cure unapprovable applications to allow applicants to stay in the application process rather than face summary denial, and (3) allowing opportunities for an iterative process to the maximum extent permitted by Article 7.1.

b. Agency resources.

This factor is required by A.R.S. § 41-1073(C)(2) and requires the Department to consider the resources of the agency granting or denying the license when adopting licensing time-frames. The Department has applied this consideration to every license category in this proposed rule. This has resulted in many of the same results in this proposed rule as discussed in the preceding paragraph. For fee-funded programs, this has also meant that the Department must diligently work towards timely licensing decisions so as to avoid refunds and the resulting inability to service later applicants due to diminishment of the program. For applicants, this means a higher risk of denials for unapprovable applications. For these reasons, this proposed rule offers numerous opportunities for applicants to cure unapprovable applications prior to expiration.

c. Economic impact of delay on the regulated community.

This factor is required by A.R.S. § 41-1073(C)(3) and requires the Department to consider the economic impact of delay on the regulated community when adopting licensing time-frames. The Department has applied this consideration to every license category in this proposed rule. This includes the recognition that none of the license categories in this proposed rule may be granted by default. This means that, in every case, state law requires applicants to prove their right to obtain a license before the Department has authority under the law to grant the license. To this end, the Department has provided flexibility in this proposed rule to allow applicants opportunities to cure unapprovable applications, continue in the application process rather than face a summary denial, and proceed forward to the completion of an approvable application as quickly as possible.

d. Public health and safety.

This factor is required by A.R.S. § 41-1073(C)(4) and requires the Department to consider the impact of the licensing decision on public health and safety when adopting licensing time-frames. The Department has applied this consideration to every license category in this proposed rule. The Department has determined that the issuance of licenses earlier, rather than later, benefits public health and safety. To this end, the considerations discussed above and the resulting flexibility in this proposed rule designed to encourage early approvals rather than repeated denials implements this required adoption consideration.

e. Use of volunteers.

This factor is required by A.R.S. § 41-1073(C)(5) and requires the Department to consider the possible use of volunteers with expertise in the subject matter area when adopting licensing time-frames. The Department does make use of volunteers in several programs. Department experience is that volunteer help is neither a predictable resource nor a dependable source of personnel or expertise. This means that reliance on volunteer assistance increases, not decreases, the Department's ability to manage shorter, dependable review times. For this reason, the Department has not included this consideration in its adoption of licensing time-frames in this initial rule making. It is possible, however, that the use of volunteers could be a viable consideration when establishing or revising an existing licensing program in future once this rule is in effect.

f. General licenses.

This factor is required by A.R.S. § 41-1073(C)(6) and requires the Department to consider the possible increased use of general licenses for similar types of licensed businesses or facilities when adopting licensing time-frames. The term "general license" has a number of different meanings that range from classic general licenses (not issued by the Department) to individual issued licenses with the word "general" in their name as identified in statute. See discussion at § 5(C)(3)(a) above for a discussion of license processing models. The use of classic general licenses (Model A) always requires a higher emphasis and resource allocation to regulate through after-the-fact enforcement activity rather than through before-the-fact licensing. In this regard, the Department's current identification of required licensing models, including the identification of classic general licenses, is based on its understanding of what is required in statute. To the extent that the Department may have discretion to choose a classic general license regulatory scheme over an issued license regulatory scheme, such policy decisions must occur during the development or revision of those regulatory programs and not in this rule making. Once such a decision is made, however, the immediate effect is that classic general licenses are not subject to Article 7.1 licensing time-frame requirements. In this regard, this proposed rule does not include classic general licenses.

The Department, however, has proceeded to apply this consideration to regulatory programs currently in development or under consideration for revision. One example is the self-certification program in the solid waste section currently under development. As a result of the application of this consideration, the program is exploring regulatory alternatives that shift certain licensing

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from licenses issued by the Department (and thus subject to licensing time-frames) to classic general (Model A) or notice (Model B) licenses (not requiring licensing time-frames). Similar processes are underway in other programs.

g. Agency cooperation.

This factor is required by A.R.S. § 41-1073(C)(7) and requires the Department to consider the possible increased cooperation between the agency and the regulated community when adopting licensing time-frames. The Department is unclear as to the proper role that this consideration should factor in the adoption of licensing time-frames. Even so, it appears to represent basic policy considerations inherent in the establishment or revision of a licensing program rather than in the initial adoption of this proposed rule as an overlay on programs with existing licensing programs in place.

The Department, however, has made every effort to propose this rule with as much flexibility for the benefit of the regulated community as the law and resources will allow. In addition, the Department has taken steps to engage and cooperate with the regulated community in this rule making through a public outreach program unprecedented in the history of the Department. This have included 10 focus groups held in July 1997 in Phoenix, Tucson, and Flagstaff prior to the issuance of a draft rule and 30 half-day workshops held in October 1997 through September 1998 to review and discuss the specifics of the rule and license tables in Phoenix, Tucson, Flagstaff, Bullhead City, Cottonwood, Show Low, and Yuma.

h. Agency flexibility.

This matter is required by A.R.S. § 41-1073(C)(8) and requires the Department to consider increased agency flexibility in structuring the licensing process and personnel when adopting licensing time-frames. The Department is unclear as to the proper role that this consideration should factor in the adoption of licensing time-frames and invites comment on this point.

F. Rule Impact Reduction Analysis.

The Department must perform a rule impact reduction analysis in accordance with A.R.S. § 41-1035 prior to proposing a rule if that rule may have an adverse impact on small businesses. The Department has determined that the licensing time frames rule will have at least some adverse impact on small businesses. This is because all applicants will be exposed to a certain degree of adverse impact. The Department has not identified any impact that will be uniquely borne by the class of small businesses. This analysis addresses the provisions of this proposed rule.

1) Analysis Requirements.

A.R.S. § 41-1035 ("this Section") of the Administrative Procedure Act (APA) requires the Department to reduce adverse impacts of a proposed rule on the class of small businesses by using one or more of the 5 methods defined in this Section if the Department finds that the methods are legal and feasible in meeting the statutory objectives which are the basis of the proposed rule making. The Department has determined that the statutory objectives of this Section require that (1) these reductions are mandatory, (2) the Department may not impose any requirements on small businesses as a class not directly required by statute, (3) the Department must reduce rule impact on the class to the maximum extent permitted by its delegated authority, and (4) nothing in this Section authorizes the Department to formulate alternative rule impact reduction proposals regarding the class of small businesses. The power to propose alternatives implies discretion in the choice between alternative degrees of impact, something not permitted by this Section.

2) The Arizona Class of Small Businesses.

The analysis requires identification of rule impacts specifically on the class of small businesses. The Legislature has defined this class with precision at A.R.S. § 41-1001(20). To qualify, a member of this class must be a concern, including its affiliates, which (1) is independently owned and operated, (2) is not dominant in its field, and (3) employs fewer than one hundred full-time employees or had gross annual receipts of less than four million dollars in its last fiscal year. For purposes of a specific rule, an agency may define the class of small businesses to include more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of small businesses and organizations. The Department has determined that the statutory objectives of this definition do not authorize the Department to stray outside the statutory definition when considering the class governed by the rule reduction requirements of this Section. This means that the Department may not consider larger, smaller, or substitute classes that include members who do not conform to the ownership, field dominance, full-time employee, and gross annual receipt characteristics required by the Legislature for inclusion. Rule impact reduction for some or all members of this class, however, may occur under authority derived from statutes other than the APA.

3) Subsidies and Cost Shifting.

The issue of the Department's duty to subsidize or shift costs away from the class often arises within the context of the required analysis. The Department has determined that the statutory objectives of this Section do not authorize the Department to (1) subsidize the class or shift cost burdens imposed by the class onto others or (2) consider and propose subsidies or cost shifting alternatives. Granting subsidies to one class must inevitably shift a greater burden to other classes. The US department of commerce bureau of the census estimates that as many as 98% of all business establishments in Arizona may qualify as members of the class of small businesses as defined by the Legislature (based on the employee size characteristic alone). This means that even a small amount of cost shifting may result in significant additional burdens on others with perhaps as few as 2% of Arizona businesses required to bear the cost burdens of the other 98%. Moreover, the mandatory language of this Section permits no agency discretion in determining the extent of impact reduction should the agency determine that reduction is possible under this Section. This means that if the Department does have discretion to consider subsidies or cost shifting under this Section, then probably it must shift 100% of the costs away from the class. A proposal to shift a smaller amount, say only 50%, implies discretion

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in the choice of how much of the impact should be reduced on the class and shifted to others. The mandatory language of this Section does not permit such discretion. The Department has determined that such a blanket exemption from all costs for this class is not an objective of this Section. It follows that authority to subsidize or cost shift, if it occurs, must come from statutes other than the APA.

4) Compliance, Reporting, Scheduling, and Deadline Requirements.

Methods 1, 2, and 3 in A.R.S. § 41-1035 require the Department to identify compliance, reporting, scheduling, and deadline requirements contained in a proposed rule and, when legal and feasible, to reduce, consolidate, or simplify them for applicants who fall within the class of small businesses. The Department has determined that the relevant statutory objectives of the licensing time frames statute (Article 7.1 of the APA) establish the need for certain minimum compliance, scheduling, and deadline requirements to which the Department has not added in this proposed rule.

a. Compliance requirements.

(1) Initial application submittal. The relevant statutory objectives of Article 7.1 require applicants to submit all required application components in the initial submittal. The Department has determined that this proposed rule (at R18-1-503(A) defining the contents of an initial submittal) follows the minimum statutory compliance requirements applicable to all applicants whether or not they fall within the class of small businesses. The Department has determined that the exception to this requirement contained within this proposed rule (at R18-1-508 for phased application agreements) is the result of harmonizing competing statutes and is required to be based on the subject matter of the application and not whether the applicant falls within the class of small businesses.

(2) Response to notices of application deficiencies. The relevant statutory objectives of Article 7.1 require applicants to submit complete responses to Department notices of administrative deficiencies made within the administrative review completeness review time frame. The Department has determined that this proposed rule (at R18-1-503(D) prescribing lapse for failure to comply) follows the minimum reasonable statutory compliance requirements applicable to all applicants whether or not they fall within the class of small businesses. The Department has determined that the exception to this requirement contained within this proposed rule (at R18-1-512 for reactivated application agreements) is the result of harmonizing competing statutes and is required to be based on the subject matter of the application and not whether the applicant falls within the class of small businesses.

(3) Response to requests for additional information. The relevant statutory objectives of Article 7.1 require applicants to submit complete responses to Department requests for additional information made in the substantive review time frame. The Department has determined that this proposed rule (at R18-1-504(D) prescribing lapse for failure to comply) follows the minimum reasonable statutory compliance requirements applicable to all applicants whether or not they fall within the class of small businesses. The Department has determined that the exception to this requirement contained within this proposed rule (at R18-1-512 for reactivated application agreements) is the result of harmonizing competing statutes and is required to be based on the subject matter of the application and not whether the applicant falls within the class of small businesses.

b. Reporting requirements.

The Department has determined that this proposed rule contains no reporting requirements for applicants.

c. Scheduling requirements.

(1) Licensing time frames. The relevant statutory objectives require the Department to establish in rule the administrative completeness review and substantive review time frames for each type of license it issues subject to Article 7.1. The Department has determined that this proposed rule follows the minimum reasonable statutory scheduling requirements applicable to all applicants whether or not they fall within the class of small businesses. The several exceptions contained in this proposed rule (such as different time frames for standard/complex and with/without a public hearing) are based on the subject matter of the application and not whether the applicant falls within the class of small businesses. The exceptions contained in this proposed rule (at R18-1-518 for emergencies and upset conditions) are based on circumstances beyond the control of the Department and not whether the applicant falls within the class of small businesses.

d. Deadline requirement.

(1) Lapse. The relevant statutory objectives require both the Department and applicants to proceed in a timely manner; the Department must review and reach a timely licensing decision on all license applications it receives and applicants also must submit information and respond in a timely manner. The Department has determined that this proposed rule (at the various lapse provisions) follows the minimum reasonable statutory deadline requirements applicable to all applicants whether or not they fall within the class of small businesses. The Department has determined that the exception to this requirement contained within this proposed rule (at R18-1-512 for reactivated application agreements) is the result of harmonizing competing statutes and is required to be based on the subject matter of the application and not whether the applicant falls within the class of small businesses.

5) Performance Versus Design or Operational Standards.

Method 4 in A.R.S. § 41-1035 requires the Department to identify design or operational standards contained in a proposed rule and, when legal and feasible, to replace them with performance standards for applicants who fall within the class of small businesses. Design or operational standards are standards that specify how each step in a regulated process shall be done and may or

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may not also specify the desired end result. Performance standards are standards that only specify the desired end result but do not specify exactly how that end result is to be achieved. The Department has determined that this proposed rule contains no design or operational standards within the meaning of this Section.

6) Rule Exemption for Small Businesses.

Method 5 in A.R.S. § 41-1035 requires the Department to exempt applicants who fall within the class of small businesses from all requirements of a proposed rule if legal and feasible. The Department has determined that the relevant statutory objectives require (1) the rule to apply to all applicants whether or not they fall within the class of small businesses and (2) classes recognized by the rule may only be based on the subject matter of an application and not whether the applicant falls within the class of small businesses. The Department has set compliance, reporting, scheduling, deadline, performance, design, and operational requirements as low as reasonably permitted by statute for all applicants who may be impacted by this proposed rule. The Department has determined that exemptions, should they occur, would only serve to increase, not decrease, the burden of this rule on the class of small businesses. Exemptions from the agreement opportunities identified in R18-1-508 through 513 would only restrict an applicant's options and thus tend to increase burdens. Exemptions from lapse and other suspension provisions would require the development of a second set of licensing time frames applicable only to applicants falling within the class of small businesses. This second set would have extended times in anticipation of the additional Department time needed to relearn the circumstances of an application when responses come so late that previous processing activities connected with the application must be repeated. This means that small businesses could not be exempted further even if the Department did have discretion to recognize them as a special class under this proposed rule.

7) Findings.

At each step in the process, the Department exercised whatever discretion the Legislature delegated by statute to minimize adverse impacts on the class of small businesses to the maximum extent permitted by the statutory objectives which are the basis of this proposed rule. The Department has taken steps to insure that all adverse impacts on the class of small businesses imposed by this rule are the result only of legislative policy expressed by statute and not by agency discretion. The Department finds, therefore, that it is not legal or feasible in accordance with the statutory objectives which are the basis of this proposed rule to reduce further any possible undesirable impacts of the rule than already accomplished by this proposed rule on license applicants who fall within the class of small businesses and who may be impacted by the provisions contained within this proposed rule.

G. Section-by-section explanation of the rule.

1) Introduction.

This proposed rule explores the boundaries of the Department's discretion to act under the statutory mandate of the licensing time-frames statute, A.R.S. Title 41, Chapter 6 (Administrative Procedure Act), Article 7.1 (Licensing Time-frames). These boundaries are determined by the requirements of Article 7.1, by other statutory obligations, and, where conflicts appear, by harmonizing competing statutory obligations. Comment is especially desired on the Department's determination of the bounds of its discretion to act in this area.

This proposed rule provides a number of provisions designed to provide applicants flexibility in meeting the requirements of Article 7.1. These include 6 sections (R18-1-508 through R18-1-513) governing a variety of bilateral agreements between applicants and the Department. All are intended to allow adjustment of the basic rule to the particular needs of individual applicants. If eventually implemented in rule, none would be required or mandatory on either applicants or the Department. In practice, the Department expects these provisions to apply only to applications received in the Model E and F (applicant-determined proposal) license processing categories. (See discussion of license processing models under § 5(C)(3)(a) above.) A program cost issue associated with offering such agreements is the diversion or expansion of program resources to negotiate and administer them. As a result, the extent to which each of the Department's programs will enter into these agreements may vary and comment is desired in this regard: On what grounds and to what extent should such agreements be available? This proposed rule offers one alternative that sets limits using 3 consideration factors. These are based, in turn, on the primary statutory considerations for setting time frames under A.R.S. 41-1073(C).

Licensing Model C and D (simple) applications probably will be unaffected in this regard because applicants for these types of licenses typically receive only limited opportunity to cure defective applications and usually no opportunity to make substantive changes in application components. (This is currently the usual practice in most, if not all, state agencies.) As a result, timely licensing decisions in these categories currently are the norm and the Department does not expect to change its general processing of these application types other than as needed to conform with the notice, tracking, and other requirements of Article 7.1. Model C licenses require only simple verification that the application is administratively complete; no substantive review occurs. Model D licenses require substantive review but both models allow no flexibility in the type of information supplied by an applicant. Virtually all applications received in Model C and D (simple) categories in the last fiscal year received timely licensing decisions from the Department.

Licensing Model E and F (applicant-determined proposal) applications, on the other hand, encourage applicants to present proposals for the Department's consideration. These application types are the inevitable result of a licensing process in which only a compliance standard is set (either in statute or rule) and applicants are free to propose methods to achieve the standard. Model E does not require a public hearing on a proposed license. Model F does. It is here that an iterative process becomes increasingly desirable from an applicant's point of view. The more an applicant can float proposals for the Department's evaluation, the more

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the applicant can explore novel, complex, or unusual solutions to achieve compliance. An iterative process, however, almost always takes time, sometimes considerable time, if the applicant resubmits numerous variations or changes to the original proposal in an attempt to achieve an approvable application or to receive terms and conditions to the applicant's satisfaction. In any case, an applicant may qualify for the license only if the Department determines that the proposal will satisfy the minimum standards required by the license. To this end, this proposed rule contains numerous elements designed to allow applicants opportunities to cure defective applications and work towards an approvable application as quickly and economically as possible. The flexibility explored in this proposed rule may allow applicants to maintain many of their current advantages in the Department's approach to the processing of Model E and F applications in this regard. Not all of the Department's programs offer the same degree of flexibility today.

The flexible provisions of this proposal do extend and complicate the rule presented here. The resulting complexity may be objectionable to the public. As an alternative to providing this flexibility (and resulting complexity), a stricter version could be developed. This approach could leave in only the bare minimum of these elements required by statute. This would extend the Department's current method for processing Model C and D (simple) applications to the Model E and F (application-determined proposal) applications as well. This would encourage (or perhaps force) faster licensing decisions based on complete, fully-formed, unchangeable, and approvable proposals submitted in the first instance; something that most applicants for Model E and F licenses do not now do. Inevitably, this means that applicants will have fewer opportunities to cure defective applications prior to expiration of the time-frames. This is sure to result in a certain number of lapsed applications and the possibility of summary denials and fee forfeitures for applicants. Applicants may have to resubmit applications and fees more than once before being able to achieve an approvable application prior to the review deadline (as is currently the case in the Model C and D (simple) categories such as vehicle emission inspection certifications). This is especially true if an applicant submits novel or highly complex proposals intended to achieve compliance. Applicants applying for licenses that require a public hearing prior to a licensing decision will be under even greater time constraints as no additional time may be available if an applicant desires a hearing postponement to adjust to comments or application deficiencies. This means that an applicant may get just one shot at a license before being required to withdraw and resubmit so as to obtain more time.

The Department believes that such a strict version would result in the elimination of all the agreement sections in the rule (except the supplemental request and time-frame extension agreements) as well as all the "standard," "complex," "with no public hearing," and "with a public hearing" categories shown on the Tables. Revised (and condensed) license tables would then show the longest time now shown for the "complex with a public hearing" for all applications received. This is because the Department believes that it must adhere to the longer times so as not to subject program budgets to virtually automatic refunds merely because an applicant's proposal is novel or technically complex or because a public hearing may generate a very large amount of controversy and comment. Whether flexible or strict, however, the Department believes that any resulting rule must contain provisions generally in accord with those now shown for the 9 unilateral action and general provision sections, R18-1-514 through R18-1-524.

2) Explanation of the Proposed Rule.

The 25 sections of this proposed rule divide into 5 general parts: 8 sections governing general matters, 5 sections prescribing the operation of the 4 time-frame clocks, 6 sections prescribing the terms of various potential agreements between applicants and the Department, 5 sections governing a number of unilateral actions by the Department, and 1 section incorporating the specific license-by-license requirements prescribed in the 31 license tables.

R18-1-501. Definitions. This section defines terms used in this proposed rule. The operation details of "Department notification" and "Department receipt" are described here. The differences between "time-frame" and "time-frame clock" are clarified for each of the four licensing time-frames identified in Article 7.1: administrative completeness review, substantive review, overall, and extension. The introduction of a "clock" operating within each time-frame eliminates a number of ambiguities in Article 7.1. It allows the counting of days to suspend without suspending the application itself. More importantly, suspending a "time-frame clock" rather than the time-frame itself, prevents invalidation of a public hearing or its required notice due to a Article 7.1 suspension. This allows the underlying time-frames to continue uninterrupted. Article 7.1 requires that any public hearing and its notice occur during the substantive review time-frame. The occurrence of suspensions in that time-frame and the ambiguity of whether the substantive review time-frame continues during a time-frame extension would cloud the procedural validity of the notice and hearings to the detriment of applicants and the public.

Three terms defined in Article 7.1 are shown on this list of definitions: administrative completeness review time-frame, overall time-frame, and substantive review time-frame. The Department has repeated those terms found at A.R.S. § 49-1071 in this rule to clarify or interpret Article 7.1 to identify critical elements missing from the statutory definitions. These elements include precision in the determination of the starting and ending of each time-frame and clarity that suspensions will not invalidate public hearings, meetings, and notices. The Department believes it must fill in the missing gaps in the definitions in order to avoid uncertainty in the counting of days and the determination of when applicants may be due a refund.

R18-1-502. Applicability. This section defines the scope of applicability of this proposed rule to Department licenses. Comment is especially desired on all aspects of this Section. Not all licenses administered by the Department are subject to the time-frame sanctions in Article 7.1; only licenses that the Department "issues" are covered and, then, only those issued later than 7 calendar days after receipt of an initial application. Licenses that result from notification requirements but that do not require the Department to issue a written license in response are excluded. Other licenses that do not require the licensee to submit an application are also excluded. Applications received pursuant to an enforcement or compliance order or a notice of violation are also excluded if the action imposes additional or different application components not included in a category on the license tables.

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This exclusion is necessary as such an action, in effect, requires the use of a license category not on the tables. Department experience is that few actions would actually result in such an exclusion.

Contractual activity, related matters, and compliance activity by licensees is excluded. This last exclusion is limited to activity by a licensee, required by an existing license, and necessary to keep the license in effect. On the other hand, certain compliance activity by a prospective licensee is not excluded and, therefore, may be subject to this Article. This includes license renewal and revision activity as this follows specific language in A.R.S. § 41-1073(B). The exclusion of other compliance activity by licensees is necessary due to the extraordinary extent of such activity administered by the Department annually. This would include many types of routine activity by licensees performed as a condition to maintain the validity of a license. Examples include ongoing inspection reports, other reporting activities, and the conformance of certain conduct with the terms and conditions of a license. The Department has not identified the probable extent of such compliance activity with precision but preliminary analysis strongly suggests that subjecting such activity to this Article would require the addition of considerably more than 2000 categories to the license tables over and above the 599 now shown.

Of those licenses included within Article 7.1's intent for coverage, only those identified on the time-frame tables will be subject to this proposed rule. This Section also clarifies the effective date of the rule and excludes applications already in process before that date. An opt-in provision, however, may be available under R18-1-513 below for those with an application in process when the rule becomes effective and who may desire to subject the remaining term of the application to the rule. **Subsection (A)(7)** clarifies that licenses issued by political subdivisions of the state pursuant to certain agreements with the Department are not subject to this Article.

Subsection (B) clarifies how to determine which terms of this Article apply to an application if that application is changed or made subject to a time-frame agreement or if this Article changes after the application is submitted. **Subsection (C)** provides that if other rules conflict with this Article, the other rules govern except that only this Article determines whether an applicant is entitled to a refund or fee excusal in accordance with Article 7.1.

R18-1-503. Administrative Completeness Review Time-frame Clock Operation; Administrative Deficiencies; Administrative Completeness. This section prescribes the starting, suspending, resuming, and ending of the administrative completeness review time-frame clock. **Subsection (A)** identifies the starting of the clock and defines the minimum requirements of a first submittal sufficient to start the clock. The requirement for the submission of all components at the beginning of the process follows the primary thrust of Article 7.1. **Subsection (B)** identifies how to determine the ending of the clock. **Subsection (C)** clarifies that the Department may issue any number of notices of administrative deficiencies during this time-frame. This clarifies an ambiguity in Article 7.1 that might otherwise severely restrict informal communication between the Department and applicants.

Subsection (D) provides for automatic lapse of the time-frame clocks if the applicant fails to submit a timely response to a notice. This same lapse provision repeats throughout the rule and the standards for determining a lapse date are governed by R18-1-517(A). The time period in this provision is expressed in "months." "Month," of course, means calendar month in accordance with A.R.S. § 1-215(21). This proposed rule uses times expressed in months for activity required by applicants. This will make computation of time easier for an applicant when the applicant must determine exactly when a response to the Department is due. "Days," meaning business days, are used only for times within which the Department is required to act. This means that the burden of computation of "days" falls on the Department, not the applicant.

Subsection (E) clarifies that the clock suspends only if the notice so states and contains a list of specific deficiencies. This allows informal communication to continue between the Department and applicants without requiring the formality of clock suspensions in every instance. The requirement for a specific list follows language in Article 7.1. The requirement that the notice suspends the clock only if it so states is added so that it will operate in the same manner as R18-1-504 comprehensive requests. In addition, it is probable that the clock cannot suspend unless express notice of the suspension is given because suspension may implicate A.R.S. § 41-1092.03 appealable agency action requirements.

Subsection (F) provides for automatic resumption of the clock upon Department receipt of the applicant's response to the notice but allows the Department 10 days to determine whether the submission is so inadequate that it merits canceling the resumption and turning the clock back as if the submission never occurred. This rule provides that after 10 days, however, the Department cannot turn the clock back but can suspend the clock again with another notice of administrative deficiencies if the administrative completeness review time-frame clock has not yet expired. If the clock has expired, the Department may issue a R18-1-504 comprehensive request instead. This provision is not expressed in Article 7.1 but is a reasonable inference as it addresses the clear possibility of successive incomplete responses by the applicant resulting in advancement of the clock a few days at a time toward presumptive administrative completeness in accordance with A.R.S. § 41-1074(C). Department ability to set the clock back is bolstered by the overall thrust of that section in that it states that if an agency issues a notice of administrative deficiencies within the administrative completeness review time-frame, the "application shall not be complete until all requested information has been received by the agency." This rule strikes a compromise between the two competing forces of that section; on the one hand an agency should not start the substantive review time-frame clock until it agrees that all information has been submitted while, on the other hand, the general imperative of Article 7.1 is to keep the clocks moving forward to encourage early resolution of an application. Here, the Department has a short period to reset the clock, otherwise the clock continues forward despite the possibility of an inadequate response by the applicant. This is more applicant-friendly than the Massachusetts timely action rule (see discussion at § 5(C)(5) above). In that rule, an applicant has only 2 chances to make it successfully through administrative completeness review. On the first notice of administrative deficiencies, the time-frame starts over from zero. On the second notice, the license is denied and 50% of the fee is forfeited.

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Subsection (G) provides for a notice of administrative completeness if appropriate. **Subsection (H)** clarifies that presumptive administrative completeness due to the automatic expiring of the administrative completeness review time-frame does nothing more than start the substantive review time-frame clock. **Subsection (I)** identifies other sections that control the running of this clock.

R18-1-504. Substantive Review Time-frame Clock Operation; Requests for Additional Information. This section prescribes the starting, suspending, resuming, and ending of the substantive review time-frame clock. The structure of this section follows that of R18-1-503. **Subsections (A) and (B)** identify the starting and ending of the clock. **Subsection (C)** clarifies that the Department may issue any number of requests for additional information and comprehensive requests for additional information during this time-frame. This allows for improved communication between the Department and applicants in that it provides for both "comprehensive requests" and less formal "requests." This also removes the possibility of disputes as to whether an otherwise informal request exhausted the Department's ability to request further information. If such information is necessary in order for the Department to grant the license, an inability to request must result in a summary denial and forfeiture of the fee. This provision eliminates that possibility and encourages communication between the Department and applicants. **Subsection (D)** provides for automatic lapse of the application if the applicant fails to submit a timely response to a request. This follows R18-1-503(D). **Subsection (E)** clarifies that the clock suspends only if the notice so states but that the Department can suspend the clock only once using a comprehensive request. This last requirement reflects a specific limitation in Article 7.1.

Subsection (F) provides for automatic resumption of the clock upon Department receipt of the applicant's response but allows the Department 15 days to determine whether the submission is so inadequate that it merits canceling the resumption and turning the clock back as if the submission never occurred. After 15 days, the Department cannot turn the clock back and can only suspend the clock again with a R18-1-509 supplemental request agreement. This follows R18-1-503 but with the window of opportunity increased to 15 days. This seems fair as the examination here is one of substantive, not administrative completeness, review. **Subsection (G)** identifies other sections that may also control the running of this clock.

R18-1-505. Overall Time-frame Clock Operation. This section prescribes the starting, suspending, and ending of the overall time-frame clock. **Subsections (A) and (B)** identify the operation of the clock as acting in concert with the administrative completeness and substantive review time-frame clocks. **Subsection (C)** clarifies that the overall time-frame clock may be shorter or longer than the just the sum of the time-frame days shown on the license tables due to (1) an early starting of the substantive review time-frame clock caused by the Department issuing a R18-1-503 notice of administrative completeness, or (2) one or more R18-1-510 time-frame extension agreements.

R18-1-506. Time-frame Extension Clock Operation. This section prescribes the starting, suspending, and ending of the time-frame extension clock. **Subsection (A)** identifies the starting of the clock and clarifies that the clock must first be created by a R18-1-510 time-frame extension agreement. **Subsection (B)** identifies the ending of the clock. **Subsections (C) and (D)** clarify that the clock responds to R18-1-504 comprehensive requests and R18-1-509 supplemental request agreements. **Subsection (E)** identifies other sections that may also control the running of this clock.

R18-1-507. Ending of the Time-frame Clocks; Licensing Decisions; Lapse; Withdrawal; Notice of Licensing Time-frames Nonapplicability; Ending of Time-frames. This section harmonizes the Department's duties under Articles 7.1 and 10 of the APA to make certain explanations and inform an applicant of appeal rights in order to make certain licensing actions by the Department sufficient to end the time-frame clocks with a reasonable degree of good-faith finality. Article 10 of the APA governs hearings and appeals of certain Department actions under the jurisdiction of the department of administration.

Subsection (A) defines the three licensing decisions the Department may make in the application process sufficient to end all time-frame clocks. The application process may terminate for other reasons such as withdrawal or lapse (described in subsection (D) below), but these do not represent licensing decisions or affirmative actions by the Department. **Subsections (B) and (C)** clarify that a conditional grant or a denial of a license are Department actions sufficient to end the time-frame clocks if certain notice requirements are satisfied. This means that the imposition of sanctions results only from the Department's failure to reach a licensing decision in a timely manner and not whether that decision will withstand administrative or judicial review. In other words, once the Department has reached a good-faith licensing decision in a timely manner, the possibility of sanctions is foreclosed even if the decision is appealed. So long as the Department acted reasonably in reaching the decision, an administrative or judicial remedy should not impose sanctions even if it orders a change in the licensing decision itself. This makes sense as the Department believes the statutory objectives of Article 7.1 are to encourage timely good-faith licensing decisions resulting in low or no refunds rather than to set up a method to generate refunds as its principal goal.

Subsection (D) identifies when all time-frame clocks end as a result of an applicant's act or failure to act. **Subsection (E)** provides a formal means for the Department to notify an applicant of a Department determination that the application is, in fact, not subject to this Article. This may occur if an application requests some sort of approval by the Department that does not meet the statutory definition of "license" at A.R.S. § 41-1001(11) meaning "any permission required by law." Department experience is that certain applications in the voluntary program remediation license categories on Table 19 will be of this type as well as certain aquifer protection permit applications on Table 9. **Subsection (F)** clarifies that the ending of time-frame clocks in accordance with this Section also ends the time-frames as well.

R18-1-508. Licensing Time-frames Pre-application Agreements. This section prescribes the terms of pre-application agreements that may be offered by the Department for the benefit of applicants. None of these agreements are required. Comment is desired on the extent such agreements should be applicable in the various license categories described on the license tables.

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Subsection (A) identifies the general purposes suitable for pre-application agreements made pursuant to this Article. **Subsection (B)** prescribes the minimum terms that every pre-application agreement must contain. The agreement must contain a fee adjustment if appropriate and the identification of application components and time-frame days in lieu of those shown on the tables. To this end, the agreement requires the applicant to waive its rights to the number of time-frame days identified on the tables in exchange for the agreement. Applicants are always free to proceed without this type of agreement but, in that case, must comply exactly with the tables. **Subsection (B)(4)** clarifies that time spent in pre-application review may not count toward the running of any of the time-frame clocks. Applicants may spend considerable time in pre-application activities and may confuse the time they spend in preparation to submit an application with the time necessary for the Department to review that application. This clarifies that pre-application activities cannot be used to justify a reduction in the time-frame clocks in the final pre-application agreement. This is because the statute requires applicants to submit complete and approvable applications at the beginning of the review process whether or not the applicant has performed pre-application coordination with the Department. **Subsection (B)(6)** requires a pre-application agreement to identify a specific license category on the license tables within which the application will be processed.

Subsection (C) prescribes additional terms that a pre-application agreement must contain if it allows the applicant to submit certain application components in one or more phases in the substantive review time-frame. **Subsection (C)(1)** prescribes that no deduction in time will occur due to the issuance of a notice of administrative completeness and the early starting of the substantive time-frame. This responds to the need to focus on successive application phases within the overall time-frame rather than just the one application phase as contemplated by Article 7.1. This means that the applicant gives up the right to the possibility of a shorter time due to the issuance of a first notice of administrative completeness in exchange for being excused from submitting all components in that early phase otherwise required. **Subsection (C)(2)** clarifies that completion of the first application phase will terminate the administrative completeness time-frame clock and start the substantive review time-frame clock. **Subsection (C)(3)** requires the agreement to identify each application phase with a list of application components required and the dates they are due along with an ability for the Department to review each in turn for administrative completeness along lines similar to normal R18-1-503 administrative completeness review including the authority to issue notices of administrative deficiencies containing the standard lapse provisions. **Subsection (C)(4)** allows the Department to exercise the ability to suspend the clocks with a R18-1-504 comprehensive request once in each application phase rather than once in the entire substantive review time-frame as contemplated by Article 7.1. The compromises here represent a balancing between establishing fixed times leading to sanctions and the increased work and flexibility needed by the Department to respond to an applicant's desire not to submit all components complete at one time and at the beginning of the process.

Subsection (D) identifies the 3 factors that the Department must consider when determining whether to enter into a pre-application agreement. These factors in rule follow 3 of the 8 factors identified at A.R.S. § 41-1073(C). Those 8 statutory factors control the Department's consideration process when adopting time-frames in rule. As such, those factors are also relevant here when considering whether to enter into a licensing time-frames agreement because these agreements, in effect, establish individually tailored time-frames for applicants.

Subsection (D)(1) requires the Department to consider the complexity of the licensing subject matter. The Department realizes that no bright line exists in this regard. On the one hand, some license categories are so simple or have review times so short that expenditures of Department resources into considering and crafting agreements would represent an unreasonably significant demand on the Department resources currently available for that category. This would adversely impact other applicants seeking use of the same Department review resources. On the other hand, even applications in categories with simple review requirements or short review times may sometimes benefit from the use of licensing time-frame agreements. The actual analysis must remain somewhat speculative at this time because the Department has no experience with the use of such agreements. Still, the Department has determined, upon balance, that it is reasonable to assume that the use of agreements will provide significant assistance to applicants in certain circumstances. The Department desires to provide applicants with such flexibility but recognizes that it has limited resources to do so. The Department, therefore, believes that it should concentrate what resources it has to assist applicants in the most complex categories first.

To this end, the proposed rule sets an initial starting point in this regard: pre-application agreements may only be considered for license categories with presumptive substantive review time-frames 90 or more days in length. This does not mean that categories with longer times are automatically entitled to agreements or that ones with shorter times are not; the other factors must also be met in order to qualify. In addition, specific program statutes or rules may support phased applications for review times of less than 90 days. If so, these license categories would also be eligible for pre-application agreements in accordance with R18-1-508(C). Examination of the license tables, however, shows that about half of the license categories have presumptive substantive review time-frames in excess of 90 days. The primary group of categories that fall under the 90-day presumption are in the drinking water and wastewater construction approval categories on Tables 5, 6, and 7. This makes sense because applicant demand in these programs is tied closely with economic growth cycles in Arizona. Setting the initial threshold at 90 days means that initial Department experience with pre-application agreements will occur in other programs, a reasonable result under the circumstances. Future operation under this provision will give the Department and the regulated community data and experience to evaluate the reasonableness of this presumption and whether it should be later extended or limited.

Subsection (D)(2) requires the Department to consider the resources of the Department. The analysis of this consideration results, in part, in the 90-day presumption identified in subsection (D)(1) above. In addition, this consideration will also apply when the Department determines that either the negotiation of the agreement itself or the terms of the resulting agreement are likely to require the Department to expend resources to the significant detriment of other applicants also wanting use of Department review resources. This is more likely to occur when large numbers of applicants are competing for limited Department

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resources within a single program.

Subsection (D)(3) requires the Department to consider the impact on public health and safety or the environment. This means that agreements that provide beneficial impacts on these considerations must be favored over those that do not. In many cases, the Department expects that licensing time-frames agreements will ultimately shorten the time necessary for an applicant to achieve an approvable application. The Department believes that the issuance of permits earlier rather than later serves to promote beneficial impacts on public health and safety or the environment and should be encouraged.

The other 5 consideration factors at A.R.S. § 41-1073(C) are not included in this list of because they are not directly relevant. For example, factor 3 requires the Department to consider "[t]he economic impact of delay on the regulated community." Here, the Department believes that each applicant is better able to determine if it is in its best economic interest whether or not to request an agreement. This means that the Department will presume that factor 3 is satisfied if an applicant, in fact, requests an agreement. Factors 5 through 8 involve matters more appropriate to Department consideration at the time the Department is developing or revising a licensing program rather than negotiating time-frame agreements with individual applicants.

R18-1-509. Licensing Time-frames Supplemental Request Agreements. This section prescribes the terms of supplemental request agreements. Article 7.1 identifies and describes such agreements. **Subsection (A)** clarifies that an applicant and the Department may enter into any number of supplemental request agreements with the clocks suspending each time but that suspensions can last only until the receipt of missing information identified in the agreements. **Subsection (B)** prescribes the minimum terms that every supplemental request agreement must contain. The agreement must identify the missing information requested, specify that the clocks operate in accordance with R18-1-504 through 506 (and not by special terms in the agreement) and contain the standard lapse provision.

R18-1-510. Licensing Time-frames Extension Agreements. This section prescribes the terms of time-frame extension agreements. Article 7.1 identifies and describes such agreements. **Subsection (A)** clarifies that an applicant and the Department may enter into any number of time-frame extension agreements. **Subsection (B)** prescribes how to determine the base time that, in turn, determines the maximum extent to which the sum of all agreements can extend the clocks. The requirement that the base be the presumptive overall time-frame clarifies an ambiguity in Article 7.1. For pre-application agreements that specify an overall time-frame as a certain number of days, that number would substitute for the presumptive overall time-frame. Finally, the subsection clarifies that rounding up major fractions of days does not substantially conflict with the statutory 25% limit. **Subsection (C)** prescribes the minimum terms that every time-frame extension agreement must contain. These terms are simple; the agreement creates a time-frame extension clock that operates in accordance with R18-1-506.

R18-1-511. Licensing Time-frames Changed Application Agreements. This section prescribes the terms of changed application agreements. The Department may offer these agreements for the benefit of applicants. The Department expects that such agreements would not be offered for Model C and D (uniform component) application processing types as this follows current practice. Offering these for Model E and F (nonuniform component) application types would also reflect current Department practice in most of these license categories. The alternative to a changed application agreement is for the applicant to withdraw a pending application and resubmit as a new application with the desired changes.

Subsection (A) identifies the nature of the agreement and explains that the agreement causes the time-frame clocks on the superseded application to end. **Subsection (B)** prescribes the minimum terms that every changed application agreement must contain. The agreement must contain a fee adjustment if appropriate and the identification of application components and time-frame days in lieu of the Tables. To this end, the agreement requires the applicant to waive its rights to the number of time-frame days identified on the Tables in exchange for the agreement. Applicants are always free to proceed without this type of agreement but, in that case, must either continue with the information as submitted or withdraw and submit a new application with a new fee. The purpose of a changed application agreement is to specify the amount of time and fee already spent that can be salvaged in support of a changed application, all for the benefit of the applicant.

Subsection (C) identifies the 3 factors that the Department must consider when determining whether to enter into a changed application agreement. These 3 factors follow those of R18-1-508(D) and are the same except for the first factor. Here, the threshold for consideration is set at 30 days. This means that the Department will not enter into a changed application agreement if the presumptive substantive review time-frame agreement is less than 30 days. This excludes approximately 20% of the license categories now shown. Some of these categories, however, may still be available for changed application agreements in accordance with R18-1-502(C) if program statutes or rules provide for such changes. In addition, categories with times longer than 30 days would be excluded if program statutes or rules do not provide an opportunity for changes. The rationale for the 30-day threshold here is similar to the one expressed for the 90-day threshold at R18-1-508(D). Some point exists where (1) the use of Department resources to negotiate and implement a changed application agreement significantly and adversely impacts other applicants in the same category and (2) the review times for an application are so short, that requiring an applicant to start over is the fairer requirement. In this regard, the Department believes that the 30-day threshold is a reasonable initial threshold in this rule.

R18-1-512. Licensing Time-frames Reactivated Application Agreements. This section prescribes the terms of reactivated application agreements. The Department may offer these agreements for the benefit of applicants. **Subsection (A)** identifies the nature of the agreement. **Subsection (B)** prescribes the minimum terms that every reactivated application agreement must contain. The agreement must contain a fee adjustment if appropriate and the identification of application components and time-frame days in lieu of the Tables. To this end, the agreement requires the applicant to waive its rights to the number of time-frame days identified on the Tables in exchange for the agreement. Applicants are always free to proceed without this type of agreement but, in that case, must submit a new application with a new fee. The purpose of a reactivated application agreement is to

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specify the amount of time and fee already spent that can be salvaged in support of a new application, all for the benefit of the applicant.

Subsection (C) identifies the 3 factors that the Department must consider when determining whether to enter into a reactivated application agreement. These 3 factors and their rationale follow R18-1-511(C).

R18-1-513. Licensing Time-frames Opt-in Agreements. This section prescribes the terms of opt-in agreements. The Department may offer these agreements for the benefit of applicants. The purpose of an opt-in agreement is to provide an applicant a means whereby an application not otherwise subject to Article 7.1 would become subject to the provisions of these rules, including sanctions as appropriate. One use would be to subject applications already in process to the terms of this rule when the rule goes into effect. Without an opt-in agreement, such applications are exempted from the rule in accordance with R18-1-502(A)(1). This may ease applicant concerns that such applications might otherwise be ignored should the Department focus its attentions only on new applications subject to time-frames.

Subsection (A) identifies the nature of the agreement. **Subsection (B)** prescribes the minimum terms that every opt-in agreement must contain. The agreement must contain a fee adjustment if appropriate and the identification of application components and time-frame days in lieu of the Tables. The intent of these terms is to adjust the impact of this rule to the actual remaining needs of an application process already partially complete.

Subsection (C) identifies the 3 factors that the Department must consider when determining whether to enter into a opt-in agreement. These 3 factors and their rationale follow R18-1-511(C) except that an opt-in agreement must provide for a remaining substantive review time-frame of at least 90 days. The Department has determined that agreements that would provide for shorter times probably represent applications already so close to a licensing decision that expenditure of Department resources to negotiate, implement, and operate the resulting agreements would not provide sufficient benefits to justify their costs to fellow applicants in the same program.

R18-1-514. Suspension of Time-frames Pending Payment of Fees or Receipt of Applicant's Signature. This section prescribes 3 specific conditions when the Department may suspend the time-frame clocks in connection with the payment of fees or pending receipt of applicant's signature. **Subsection (A)** describes the conditions under which both the application and the time-frame clocks suspend for failure of payment. **Subsection (B)** provides for automatic suspension after notification of a licensing decision pending receipt of final payment. This provision is necessary because several license categories incur review fees on an hourly basis. This provision allows an opportunity for the Department and the applicant to settle accounts before the license goes into effect by providing that a license may not be effective until receipt of final payment. Not having this suspension provision would mean that the Department must add a certain period of time to the time-frame itself to allow for these settlement activities. **Subsection (C)** provides for automatic suspension after notification of a licensing decision pending receipt of a final signature of the applicant. This provision is necessary because several license categories require applicant's signature at the end of the process. This provision allows an opportunity for the applicant to submit a required signature before the license goes into effect by providing that a license may not be effective until receipt of the signature. Not having this suspension provision would mean that the Department must add a certain period of time to the time-frame itself to allow for this final required application component.

R18-1-515. Suspension of Time-frames Due to a Changed Application. This section prescribes the conditions under which the Department may determine that an application has been filed in the wrong license category or that a new submittal shows a changed proposal sufficient to require a new application. The Department expects that notifications under this Section would not occur for Model C and D (simple) application processing types as is current practice. Offering these for Model E and F (applicant-determined proposal) application types would reflect current Department practice in most of these license categories. The alternative to providing for the notification mechanism here would be to rely on the R18-1-504 requests for additional information to inform the applicant of the deficiency. The mechanism provided in this Section is more efficient and more closely tailored to the communication needs of the applicant and the Department under the circumstances described here.

Subsection (A) identifies the conditions that guide Department notifications to applicants of certain unacceptable circumstances contained within the application. **Subsection (B)** requires the Department to notify the applicant of a determination made under subsection (A) and provides the applicant choices in its response to the notification and a lapse provision should the applicant fail to make a timely choice. The applicant may enter into negotiations for a changed application agreement in accordance with R18-1-511, withdraw the changes and proceed with the original proposal, or dispute the Department's determination by submitting a R18-1-205 notice of intent to stand on the application components submitted. This last option is discussed in more detail at R18-1-520 below.

R18-1-516. Reassignment of License Category. This section prescribes the conditions under which the Department may unilaterally reassign the license category of an application and then notify the applicant of the change.

Subsection (A) requires the Department to shift an application from a category not requiring a public hearing to one so requiring if a hearing is requested. This would occur only for applications where such hearings are required by law once requested. The purpose of this subsection is to allow all applications to be placed into categories not requiring a public hearing when first received. Then, if a hearing is never requested, the Department has less time to reach a licensing decision. Alternatively, if a hearing is requested and, therefore, becomes required by law, the application moves automatically into its companion category providing a longer period in which to accommodate the hearing. The alternative to having this provision would be to assume

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that all applications in such categories may eventually have a hearing and subject all applications to the longer time whether a hearing is ever required or not. No provision for an applicant to protest this unilateral action is expressly provided here because of the certainty that such an action would not be reversed on appeal. Failure to have a public hearing if required by law must prohibit the Department from granting the license. The term "public meeting" is also used in this subsection as the underground storage tank (UST) corrective action plan (CAP) rules refers to its public hearing as a public meeting.

Subsection (B) allows the Director to reassign an application from a standard to a complex category under certain conditions. The definition for "complex" at R18-1-501(9) means:

a license application category that requires a significant increase in Department resources in excess of standard application proposals due to size, novelty, complexity, or technical difficulty.

Of the approximately 6,000 to 10,000 applications of the Model E and F (applicant-determined proposal) processing types received annually, Department belief is that if this proposed rule were in effect today, perhaps only 50 applications annually for drinking water and wastewater construction approvals and 20 applications annually in all other programs would fall into this complex category. These few applications, however, could be expected to consume significant amounts of Department resources and could occur in most of the Department's programs. Providing the standard and complex categories shown on the license tables allows the Department to handle such applications in a fair manner. This subsection allows an applicant to protest the change and submit a notice of intent to rely on the license category in effect prior to the change. This option is discussed in more detail at R18-1-521 below.

Subsection (C) clarifies that reassignment under this Section changes only the dates that time-frame clocks on the application will expire.

R18-1-517. Application Lapse and Withdrawal; Lapse Date Extension Request. This section prescribes the operation and effect of lapsed and withdrawn applications (all time-frame clocks end). **Subsection (A)** clarifies the standard used by the Department to determine a lapse date: If made, it must be based on a "reasonable time" after taking into consideration the nature of the deficiency giving rise to the notice containing the lapse date. **Subsection (B)** clarifies that the Department may continue to review an application despite it having lapsed from this Article.

Subsections (E) through (I) govern how an applicant may request the Department to extend a lapse date on a pending application. **Subsection (E)** describes the minimum information required in a notice to the Department requesting a time extension. **Subsection (F)** describes the conditions that an applicant must meet in order to receive a lapse extension. **Subsection (G)** clarifies that the Department may grant a time different than the one requested by the applicant in the notice. **Subsection (H)** clarifies that a denial means that the lapse date in effect prior to the request remains in effect. **Subsection (I)** provides that if the Department grants a request after the original lapse date expires, the new lapse date identified in the grant applies. This means the application, in fact, did not lapse on the earlier date.

R18-1-518. Emergencies and Upset Conditions. This section prescribes the conditions under which the Department may suspend certain provisions of this Article. Comment is especially solicited on all aspects of this section. Two types of suspension are available: (1) a moratorium on the starting of time-frame clocks on new applications and (2) the suspension of time-frame clocks for applications already in process. **Subsection (A)** prescribes that the Director may declare a time-frame clock moratorium or a suspension but only under certain conditions. **Subsection (B)** prescribes the contents of a declaration. The declaration must include reasons meeting the requirements of subsection (A), identification of the license categories affected, and automatic expiration by a date certain. Individual applications may not be singled out but the Director may restrict a time-frame clock suspension or moratorium of one or more entire categories of licenses to a specified Department application review location such as an individual emissions testing station, a regional office, or a site inspection location. **Subsection (C)** clarifies that the Director may revoke or issue successive declarations to balance the requirement that a declaration must contain a provision to expire by a date certain. This subsection allows the Director to adjust declarations to the specific circumstances giving rise to the emergency or upset condition. **Subsection (D)** clarifies that a declaration under this Section only affects the operation of the time-frame clocks and not the application review activities of the Department. The Department is not prohibited from accepting and processing applications while the declaration is in force.

This section represents a balancing of the statutory mandate of Article 7.1 to impose sanctions on licensing funds for late action on applications with other statutory mandates for the Department to maintain financially sound and viable licensing programs, not only to keep the Department programs intact and functioning to maintain state commitments to the federal government but also to be available and open for business when the members of the public choose to submit an application for a license. The Department has determined that the statutory objectives of Article 7.1 are to sanction the Department for inattention and lax management only and not to sanction the Department when forces not under its direct control intervene to make diligent processing of application reviews impossible. Prior to implementation of Article 7.1, the Department had no need to declare formal application moratoriums. Still, the Department does impose such moratoria from time to time. For example, the Department directs applicants to alternate locations when an entire vehicle emission testing station is temporarily disabled. Without clarification in rule, such a cessation under current practice might entitle applicants who present themselves during the shut-down to a refund (or free license) if the closure exceeds the time shown in the rule for that license category. The same would be true if any application acceptance facility of the Department were temporarily incapacitated due to fire or other reasons. Currently, even if the Department knows that it can not process new applications in a timely manner, acceptance at least puts the new applications in line for eventual review. Review times exceeding statutory or regulatory times may occur but no sanctions would follow. Article 7.1 changes the landscape by creating new constraints on Department actions as well as the introduction of sanctions. This section responds to those new constraints.

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R18-1-519. Public Hearings. This section prescribes the applicability of the licensing time-frames to the noticing and holding of public hearings when such hearings are required before the Department may grant a license. This Section clarifies that once the substantive review time-frame begins, subsequent suspension or expiration of clocks will not invalidate notice or hearings. This clarifies an ambiguity in Article 7.1 as A.R.S. § 41-1072(2) requires that "[a]ny public notice and hearings required by law shall fall within the substantive review time-frame."

R18-1-520. Notice of Intent To Rely on the Application Components as Submitted. This section responds to certain actions Article 7.1 requires the Department to take during the pendency of a license application that can be characterized as appealable agency actions subject to the notice requirements of A.R.S. § 41-1092.03 and hearings before a Department of Administration administrative law judge (ALJ). At least two Article 7.1-required actions fall into this category if they suspend the time-frame clocks: the R18-1-503 notice of administrative deficiencies and the R18-1-504 comprehensive request for additional information. This proposed rule provides other similar instances. The decision to issue the R18-1-503 notice or R18-1-504 request and thus suspend the clocks probably is determinative of an applicant's "legal rights, duties, or privileges" subject to A.R.S. §§ 41-1092 through 41-1092.11. On the other hand, modification of the time-frames through supplemental request and time-frame extension agreements are not appealable agency actions because they incorporate the applicant's agreement to the modifications. Also, the lapse provisions in this proposed rule probably do not constitute appealable agency actions although the R18-1-503 notice or the R18-1-504 request they accompany do.

Receipt of the notice or request means that the application is dead unless the applicant does something more. Even if the applicant complies, the date leading to the possibility of sanctions is delayed. An applicant could pursue immediate appeals of R18-1-503 notices and R18-1-504 requests causing needless complications to the operation of the time-frame clocks, a consequence not addressed in Article 7.1. (Do such appeals suspend the clocks? If they do, what should the operation of the suspensions be? If they do not, does that mean that such appeals will force the time-frames to expire before a licensing decision resulting in inevitable sanctions every time an applicant appeals?) Unlike licensing programs operated by some agencies, applicants for Department licenses may not always be eager to receive them especially when certain duties or obligations begin only upon issuance, especially if the applicant enjoys a shield from enforcement during the pendency of the application (certain aquifer protection permit program licenses, for example). Once an applicant has made an initial application in compliance with the law, using legitimate methods to delay the issuance may make good business sense. The result under the constraints and imperatives of Article 7.1 could be extremely disruptive to the licensing review process and ultimate compliance by the prospective licensee.

In response, the Department has proposed in a separate rule making the following new section at R18-1-205. This proposed rule text appeared in *Arizona Administrative Register* (Sep. 11, 1998) at pp.2530, 2546, and is repeated here.

R18-1-205. Notice of Intent To Rely on License Application Components as Submitted

- A. If a license applicant receives from the Department a notice that the application is lacking application components, is substantively deficient, or is otherwise deficient, the applicant, in lieu of submitting some or all of the components identified by the Department, may submit a written notice of intent to rely on the application components as submitted.
- B. A notice of intent to rely on the application components as submitted shall include the following:
 - 1. Identification of the applicant.
 - 2. Identification of the license application.
 - 3. Date of the Department notice or request objected to.
 - 4. Identification of the application component or components objected to with reasons for the objection or objections.
 - 5. A statement that the applicant intends to rely on the application components as submitted as the basis upon which the Department may determine whether to grant or deny the license.
- C. A license applicant may submit additional license application components or other information at the same time the applicant submits a notice of intent to rely on the application components as submitted.
- D. The Department, upon receipt of a timely notice of intent to rely on the license application components as submitted, shall do one of the following:
 - 1. Rescind its request for the application component or components objected to in the notice.
 - 2. Modify its request for the application component or components objected to in the notice.
 - 3. Grant the license unconditionally, meaning that the Department did not add conditions not requested by the applicant.
 - 4. Grant the license with conditions, meaning that the Department added conditions not requested by the applicant.
 - 5. Deny the license.
- E. A timely notice of intent to rely on the license application components as submitted is one submitted within the time identified on the Department notification or request to which the applicant is objecting or, if the notification or request does not specify a time, within 2 months of receipt of the Department notification or request to which the applicant is objecting.

What these 2 sections do (R18-1-520 here and proposed R18-1-205) is provide the applicant an alternative to compliance with the notice or request. The existence of a choice that requires the Department to reconsider its decision means that the decision no

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longer meets the definition of an appealable agency action. The choice offered the applicant here is to notify the Department that the applicant intends to rely on the application components as submitted. What this does is allow the Department either to reconsider its decision or, by responding with a decision to grant or deny the license, accelerate the notice or request into a final licensing decision suitable for administrative review outside the Department. This provision follows generally the Massachusetts timely action rule (see discussion on the Massachusetts experience at § I(C)(5) above) and balances Article 7.1's mandate to provide expeditious application review with an applicant's Article 10 right to pursue administrative appeals of certain actions and the Department's duty to inform the applicant of that right. Allowing the applicant to accelerate the notice or request into a final decision to grant or deny the license is a reasonable harmonization of the competing statutory interests. Applicants are not likely to exercise this provision unless they have a good faith reason to believe they are on reasonable ground and that the Department is probably in error. Without this provision, an applicant could choose to appeal any number of times with the worst result (from the applicant's point of view) being that the time-frames clocks might be reset to the date of the appeal. With this provision, a frivolous protest could result in the denial of the permit and the loss of the fee.

Subsection (A) prescribes the conditions when an applicant may proceed under this Section and submit a notice of intent. **Subsection (B)** provides for the suspension of the time-frames clocks upon receipt of the notification. This is reasonable as consideration and response to such notices are not part of the activities identified within the original time-frame periods. **Subsection (C)** identifies the minimum information that a notice must have. **Subsection (D)** limits the time the Department may rescind or modify a notice or request and prescribes the impact of the resulting Department action on the time-frame clocks.

R18-1-521. Notice of Intent To Rely on the License Category. This Section is similar to the notice of intent to rely on application components submitted discussed immediately above. This applicant notice responds directly to the Department notification of a changed license category in R18-1-515(B). The structure follows that of both R18-1-204 (setting the general provisions of the notice) and R18-1-519 (describing the impact on time-frame clock operation). Here, filing of a notice in effect cancels the Department's change of category. Whether the Department decides to continue under the time constraints of the previous category or summarily deny the application will probably depend upon the immediate circumstances at hand including the length of time remaining, the nature of the defective application components, the complexity of issues to be resolved, and the demand for additional Department resources to complete a reasonable review and reach a licensing decision.

R18-1-522. Notice of Change of Applicant's Agent for Receipt of Licensing Time-frames Notices. This section provides the method by which an applicant may change the designation of its agent for receipt of licensing time-frames notices. **Subsection (B)** provides the minimum information required in a notice to make the change of agent effective. **Subsection (C)** provides that the Department shall notify the applicant upon receipt of the notice and that the change in agent will be effective 3 days after Department receipt or at a later date if identified by the applicant.

R18-1-523. Refunds, Fee Excusals, and Penalties. This section prescribes Department procedures for determining and making license refunds, fee excusals, and penalty payments. **Subsection (A)** clarifies that sanctions may occur only if an application is governed by this Article and requires a fee deposited in a Department fund. This last requirement follows A.R.S. § 41-1077(A) which requires that "[n]otwithstanding any other statute, the agency shall make the refund from the fund in which the application fees were originally deposited." The Department has determined that it has no authority to "make" appropriations from funds not under its direct control. This means that fees required to be deposited into the state general fund, for example, are not available to "make" refunds. Very few license categories on the license tables, however, are subject to this exclusion.

Subsection (B) identifies the two findings the Department must make in order to comply with its duties under both Article 7.1 (governing the right to obtain a refund or fee excusal) and A.R.S. § 35-301 (governing the handling of public money) prior to making a refund or fee excusal determination. **Subsection (C)** requires the Department to issue a refund and approve a fee excusal within 15 days (approximately 3 weeks) after making a determination that a refund or fee excusal is required.

These 2 subsections represent a reasonable balancing of Article 7.1's requirement that an agency issue a refund within 30 calendar days of the expiration of the overall time-frame or time-frame extension giving rise to the refund with the reality that the Department is likely not to know within that period that a refund may be due. Massachusetts' experience with refunds for failure to make a timely licensing decision is that most result from clerical failure to properly log in an application or component submittal. The Department expects the same to occur here. This means that the Department, in most cases, must rely on an attentive applicant to make the existence of a right to a refund known to the Department.

Subsection (D) clarifies the amount and scope of the refund and fee excusal. For example, no refund on an underground storage tank (UST) state assurance fund (SAF) reimbursement approval would occur even if the department were late in making a licensing decision and even if the Department had collected overdue excise tank taxes as a prerequisite to application review. Any monies paid in annual tank fees or excise taxes do not meet the definition of "fee" at A.R.S. § 41-1001(9) meaning "a charge prescribed by an agency for obtaining a license," in this case, meaning the SAF reimbursement license. Any license that may have been created by payment of the annual tank fee is different than the SAF reimbursement license and, therefore, not subject to refund under this Article.

Subsections (E) and (F) govern the calculation and payment of penalties to the state general fund. Providing 4 months to make payment allows the Department time to determine the proper amounts owing especially if, but for a fee excusal, review fees would still be accruing. This is coordinated with the subsection (D) 3-month period for requesting refunds, the filing of which may be the first indication to the Department that a penalty may in fact be due.

R18-1-524. Site Inspections. This section harmonizes the requirements of Article 7.1 and A.R.S. § 41-1009 governing Department duties concerning site inspections. Here, this proposed rule clarifies that the Department will limit the extent of its site

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inspections when made as an application component for an application subject to Article 7.1 so that no further notifications or other requirements under A.R.S. § 41-1009 will apply after the inspection is complete. **Subsection (A)** clarifies what constitutes compliance with a site inspection application component. **Subsection (B)** makes clear that a site inspection made in accordance with an application subject to Article 7.1 is strictly limited in scope. **Subsection (C)** clarifies the required information contained in a site inspection report made under A.R.S. § 41-1009.

R18-1-525. Licensing Time-frames; License Tables. This section incorporates the license tables accompanying this rule. The tables are divided along program lines and contain a numbered category list identifying every license issued by the program that is subject to the Article. Each license contains data in five columns. In the first column is the license category's specific name followed by its statutory or regulatory authority to assist in identification. In the second and third columns are the number of days allocated to the Article 7.1 administrative completeness and the substantive review time-frames by this rule making. In the fourth column is a determination as to whether the license category is subject to sanctions. License categories identified in this column as not subject to sanctions are still subject to annual reporting requirements to the Governor's Regulatory Review Council (GRRC). Finally, in the fifth column are references to application components required of the applicant for administrative completeness.

Table 1: Class I Air Licenses. This table describes the 26 license categories administered by the air quality permits section of the Air Quality Division for Class I permits subject to Article 7.1 licensing time-frame requirements.

Table 2: Class II Air Licenses. This table describes the 19 license categories administered by the air quality permits section of the Air Quality Division for Class II permits subject to Article 7.1 licensing time-frame requirements.

Table 3: Open Burning Licenses Issued by the Phoenix Office. This table describes the 1 license category administered by the air quality permits section of the Air Quality Division for open burning and forest and range management burn permits subject to Article 7.1 licensing time-frame requirements.

Table 3-N: Open Burning Licenses Issued by the Northern Regional Office. This table describes the 1 license category administered by the Northern Regional Office for open burning and forest and range management burn permits subject to Article 7.1 licensing time-frame requirements.

Table 3-S: Open burning licenses Issued by the Southern Regional Office. This table describes the 1 license category administered by the Southern Regional Office for open burning and forest and range management burn permits subject to Article 7.1 licensing time-frame requirements.

Table 4: Vehicle Emission Licenses. This table describes the 2 license categories administered by the vehicle emission section of the Air Quality Division subject to Article 7.1 licensing time-frame requirements.

Table 5: Safe Drinking Water Construction Licenses Issued by the Phoenix Office. This table describes the 18 license categories administered by the safe drinking water section of the Water Quality Division subject to Article 7.1 licensing time-frame requirements.

Table 5-N: Safe Drinking Water Construction Licenses By the Northern Regional Office. This table describes the 18 license categories administered by the Northern Regional Office subject to Article 7.1 licensing time-frame requirements.

Table 5-S: Safe Drinking Water Construction Licenses Issued by the Southern Regional Office. This table describes the 18 license categories administered by the Southern Regional Office subject to Article 7.1 licensing time-frame requirements.

Table 6: Wastewater Construction Licenses Issued by the Phoenix Office. This table describes the 44 license categories administered by the wastewater unit of the Water Quality Division subject to Article 7.1 licensing time-frame requirements.

Table 6-N: Wastewater Construction Licenses Issued by the Northern Regional Office. This table describes the 44 license categories administered by the Northern Regional Office subject to Article 7.1 licensing time-frame requirements.

Table 6-S: Wastewater Construction Licenses Issued by the Southern Regional Office. This table describes the 44 license categories administered by the Southern Regional Office subject to Article 7.1 licensing time-frame requirements.

Table 7: Subdivision Construction Licenses Issued by the Phoenix Office. This table describes the 12 license categories administered by the wastewater unit of the Water Quality Division subject to Article 7.1 licensing time-frame requirements. This table is offered as an alternative to the separate subdivision licenses shown on tables 5 and 6.

Table 7-N: Subdivision Construction Licenses Issued by the Northern Regional Office. This table describes the 18 license categories administered by the Northern Regional Office subject to Article 7.1 licensing time-frame requirements. This table is offered as an alternative to the separate subdivision licenses shown on tables 5-N and 6-N.

Table 7-S: Subdivision Construction Licenses Issued by the Southern Regional Office. This table describes the 18 license categories administered by the Southern Regional Office subject to Article 7.1 licensing time-frame requirements. This table is offered as an alternative to the separate subdivision licenses shown on tables 5-S and 6-S.

Table 8: Safe Drinking Water Monitoring and Treatment Licenses. This table describes the 32 license categories administered by the safe drinking water section of the Water Quality Division subject to Article 7.1 licensing time-frame requirements.

Table 9: Water and Wastewater Facility Operator Licenses. This table describes the 8 license categories administered by the Water Quality Division subject to Article 7.1 licensing time-frame requirements.

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Table 10: Water Quality Licenses. This table describes the 109 license categories administered by the aquifer protection program (APP) section and reuse unit of the Water Quality Division subject to Article 7.1 licensing time-frame requirements. The APP program consists of 16 basic categories. These are repeated for all licensing review sections and units that administer them. These categories appear within this and other tables as follows.

| | |
|----------------------|---|
| Table 10, Group I: | Wastewater treatment facility. |
| Table 10, Group II: | Wastewater treatment facility (with recharge component). (10 categories only.) |
| Table 10, Group III: | Small BADCT wastewater treatment facility (with designs less than 250,000 gpd). |
| Table 10, Group IV: | Industrial facility. |
| Table 10, Group V: | Mine facility. |
| Table 10, Group VI: | Other discharging facility. |
| Table 10, Group VII: | Reclaimed wastewater reuse facility. (11 categories only.) |
| Table 12, Group III: | Nonlandfill solid waste facility. |
| Table 13, Group V: | Special waste facility. |
| Table 14, Group III: | Landfill facility. |

Table 11: Surface Water Licenses. This table describes the 3 license categories administered by the surface water section of the Water Division subject to Article 7.1 licensing time-frame requirements.

Table 12: Solid Waste Licenses. This table describes the 18 solid waste license categories administered by the solid waste section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements. This includes the Septage hauler program.

Table 13: Special Waste Licenses. This table describes the 31 special waste license categories administered by the solid waste section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements.

Table 14: Landfill Licenses. This table describes the 24 landfill license categories administered by the solid waste section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements.

Table 15: Medical Waste Licenses. This table is reserved and is intended to receive future medical waste license categories to be administered by the solid waste section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements.

Table 16: Waste Tire, lead Acid Battery, and Used Oil Licenses. This table describes the 4 license categories administered by the solid waste section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements in the waste tire, lead acid battery, and used oil programs.

Table 17: Hazardous Waste Licenses. This table describes the 32 license categories administered by the hazardous waste section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements.

Table 18: Underground Storage Tank Licenses. This table describes the 17 license categories administered by the underground storage tanks (UST) section of the Waste Programs Division and the state assurance fund (SAF) program subject to Article 7.1 licensing time-frame requirements.

Table 19: WQARF Remediation Licenses Issued by the Phoenix Office. This table describes the 11 license categories administered by the remedial projects section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements. This includes the water quality assurance revolving fund (WQARF) and superfund remediation programs.

Table 19-S: WQARF Remediation Licenses Issued by the Southern Regional Office. This table describes the 8 license categories administered by the Southern Regional office subject to Article 7.1 licensing time-frame requirements.

Table 20: Voluntary Program Remediation Licenses. This table describes the 28 license categories administered by the voluntary projects section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements. This includes licenses in the following voluntary remediation programs.

| | |
|-----------------------|---|
| Table 20, Group I: | Voluntary program acceptance license. |
| Table 20, Group II: | Voluntary program WQARF remediation licenses. |
| Table 20, Group III: | Voluntary program nonlandfill solid waste remediation licenses. |
| Table 20, Group IV: | Voluntary program special waste remediation licenses. |
| Table 20, Group V: | Voluntary program hazardous waste remediation licenses. |
| Table 20, Group VI: | Voluntary program leaking underground storage tank (LUST) remediation licenses. |
| Table 20, Group VII: | Voluntary program greenfields remediation license. |
| Table 20, Group VIII: | Voluntary program brownfields remediation license. |

Table 21: Pollution prevention licenses. This table describes the 1 license category administered by the pollution prevention section of the Waste Programs Division subject to Article 7.1 licensing time-frame requirements.

Table 22: Multi-program licenses. This table describes the 1 license category administered jointly by more than one division in the Department subject to Article 7.1 licensing time-frame requirements.

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H. License-by-license Explanation

1) Table 1: Class I Air Licenses

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the state's implementation of the Arizona state operating permit (SOP), prevention of significant deterioration (PSD), and new source review (NSR) programs in accordance with A.R.S. § 49-421 through 49-467 and administered by the Department's Air Permits Section of the Air Quality Division. State law requires the programs to operate in harmony with the Clean Air Act (CAA) as prescribed in 40 C.F.R. §§ 60 and 70. Class I refers to the category of licenses identified at R18-2-302(B)(1).

The Department issues the following Class I licenses in all 15 counties for certain sources identified in A.R.S. § 49-402 and in all counties except Maricopa, Pima, and Pinal for other Class I sources. These 3 counties administer air pollution control programs of their own under authority granted by A.R.S. §§ 49-471 through 49-516 and issue licenses equivalent to those identified below for those other Class I sources. The Department's Class I air program governs approximately 35 sources.

The following Class I air license categories appear on Table 1 with the same corresponding numbers shown here in parentheses. The arrangement of licenses categories on this Table is as follows.

Individual Class I air permits.

Group I: Individual Class I prevention of significant deterioration (PSD) licenses.

Standard Class I PSD major source permit with no public hearing (1).

Standard Class I PSD major source permit with a public hearing (2).

Complex Class I PSD major source permit with no public hearing (3).

Complex Class I PSD major source permit with a public hearing (4).

Group II: Individual Class I new source review (NSR) licenses.

Standard/complex and with/without a hearing as in Group I (5-8).

Group III: Individual Class I other major source licenses.

Standard/complex and with/without a hearing as in Group I (9-12).

Group IV: Individual Class I renewal licenses.

Standard/complex and with/without a hearing as in Group I (13-16).

Group V: Individual Class I transfer, amendment, and revision licenses.

Class I transfer (17).

Class I administrative amendment (18).

Class I minor revision (19).

Class I significant revision: standard/complex and with/without a hearing as in Group I (20-23).

General Class I air permits.

Group VI: Authority to operate (ATO) under Class I general permit licenses.

Class I general permit coverage petition (24).

Class I general coverage ATO permit (25).

ATO renewal permit (26).

Group I: Individual Class I prevention of significant deterioration (PSD) licenses. These licenses are authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302 and R18-2-406. These licenses are subject to sanctions because they require application review fees that are deposited into a Department fund and the applications require substantive review. Application components are identified in rule at R18-2-304, R18-2-402 and R18-2-406 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326.

For the standard category with a public hearing (Category 2 below), Table 1 shows 41 business days for the administrative completeness review and 251 business days for the substantive review time-frames. This is equivalent to the 60 calendar days and 12 months identified at R18-2-304 although these times apply to a definition of administrative completeness, scheduling, and review activities that vary from those presumed in Article 7.1. The review times in R18-2-304 are tied to specific review times, definitions, activities, scheduling, sequencing, and duties required by A.R.S. § 49-426 to follow CAA requirements for Title V state operating permits. This means that an applicant may receive different types of notices relating to application completeness; some relating to the operation of this draft rule and implementing Article 7.1 requirements and others relating to R18-2-304 and implementing CAA requirements incorporated by § 49-426. This result is unavoidable due to fundamental differences in the statutes. For example, the CAA requires that the 60 calendar-day administrative completeness review start over to zero days if the Department issues a notice of administrative deficiencies. Article 7.1 prohibits this result. The Department has determined to resolve these types of conflicts by operating the two clocks separately; one clock operated in accordance with Article 7.1 and used only to determine the applicability of sanctions; a second clock operated in accordance with § 49-426 and used only to determine compliance with CAA.

The Department has limited experience with these license categories. In all 12 new major source Class I license categories (contained in Groups I, II, and III on Table 1), the Department has issued 2 licenses since 1993 and has 3 applications pending. Of

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these, the Department believes that perhaps one might qualify as falling within one of the "complex" categories described below.

The Department expects that all applications for licenses in this category group would be received first in Category 1 ("standard"). Should a public hearing be requested, the Department will reassign the application to Categories 2 or 4 ("with a hearing") in accordance with R18-1-516(A). The Department may reassign an application to Categories 3 or 4 ("complex") in accordance with R18-1-516(B) if the Department determines that the application requires a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. "Complex" as used in this draft rule is defined at R18-1-501(9).

(1) Standard Class I PSD major source permit with no public hearing. This is a Model E (no hearing) license. (See discussion of license processing models at § I.C(3) above). Table 1 shows this license category with the days described above except that the substantive review time-frame is shortened from 251 business days to 219 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(2) Standard Class I PSD major source permit with a public hearing. This is a Model F (with a hearing) license. (See discussion of license processing models at § I.C(3) above). Table 1 shows this license category with the days described above.

(3) Complex Class I PSD major source permit with no public hearing. This is a Model E license. Table 1 shows this license category with the days described for Category 1 above except that the substantive review time-frame is increased from 219 business days to 281 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(4) Complex Class I PSD major source permit with a public hearing. This is a Model F license. Table 1 shows this license category with the days described for Category 2 above except that the substantive review time-frame is increased from 251 business days to 313 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group II: Individual Class I new source review (NSR) licenses. These licenses are authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302 and R18-2-403. These licenses are subject to sanctions because they require application review fees that are deposited into a Department fund and the applications require substantive review. Application components are identified in rule at R18-2-304, R18-2-402 and R18-2-403 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. The structure, time-frames, operation, and rationale for these license categories (Categories 5-8) are the same as described for Group I above.

(5) Standard Class I NSR major source permit with no public hearing. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Table 1 shows this license category with the days described for Category 6 ("Standard") except that the substantive review time-frame is shortened from 251 business days to 219 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(6) Standard Class I NSR major source permit with a public hearing. This is a Model F license because substantive review of non-uniform application components and a public hearing are required. Table 1 shows this license category with the days described for Group I above for standard applications requiring a public hearing: 41 business days (approximately 2 months) for the administrative completeness review time-frame and 251 (approximately 1 year) for the substantive review time-frame.

(7) Complex Class I NSR major source permit with no public hearing. This is a Model E license. Table 1 shows this license category with the days described for Category 5 above except that the substantive review time-frame is increased from 219 business days to 281 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(8) Complex Class I NSR major source permit with a public hearing. This is a Model F license. Table 1 shows this license category with the days described for Category 6 above except that the substantive review time-frame is increased from 251 business days to 313 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group III: Individual Class I other major source licenses. These licenses are authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302. These licenses are subject to sanctions because they require application review fees that are deposited into a Department fund and the applications require substantive review. Application components are identified in rule at R18-2-304 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. The structure, time-frames, operation, and rationale for these license categories (Categories 9-12) are the same as described for Group I above.

(9) Standard Class I other major source permit with no public hearing. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Table 1 shows this license cate-

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category with the days described for Category 10 ("Standard") except that the substantive review time-frame is shortened from 376 business days to 344 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(10) Standard Class I other major source permit with a public hearing. This is a Model F license because substantive review of application components and a public hearing are required. Table 1 shows this license category with added days for a public hearing should one be required: 41 business days (approximately 2 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(11) Complex Class I other major source permit with no public hearing. This is a Model E license. Table 1 shows this license category with the days described for Category 9 above except that the substantive review time-frame is increased from 344 business days to 406 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(12) Complex Class I other major source permit with a public hearing. This is a Model F license. Table 1 shows this license category with the days described for Category 10 above except that the substantive review time-frame is increased from 376 business days to 438 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group IV: Individual Class I renewal licenses. These licenses are authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302 and R18-2-322. These licenses are not subject to refunds because they do not require application review fees. Application components are identified in rule at R18-2-304 and require a Department-generated application form and site inspection. The Department has limited experience with these license categories and is currently in the first year of a 3-year phase-in period. Under state law, the Department is expected to make licensing decisions on about 1/3 of the total number of governed sources each year for 3 years. About 35 sources are required to apply and, of these, 16 applications are now in the public notice phase. None of these 35 applications will be subject to this draft rule because they will be in process before the expected effective date of the rule. Only applications first received after the effective date of the rule will be subject to the rule. The structure, time-frames, operation, and rationale for these license categories (Categories 13-16) are the same as described for Group I above.

(13) Standard Class I renewal permit with no public hearing. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Table 1 shows this license category with the days described for Category 14 ("Standard") except that the substantive review time-frame is shortened from 376 business days to 344 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(14) Standard Class I renewal permit with a public hearing. This is a Model F license because substantive review of non-uniform application components and a public hearing are required. Table 1 shows this license category with the basic review times described in rule: 41 business days (approximately 2 months) for the administrative completeness review time-frame and 376 (approximately 18 months) for the substantive review time-frame.

(15) Complex Class I renewal permit with no public hearing. This is a Model E license. Table 1 shows this license category with the days described for Category 13 above except that the substantive review time-frame is increased from 344 business days to 406 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(16) Complex Class I renewal permit with a public hearing. This is a Model F license. Table 1 shows this license category with the days described for Category 14 above except that the substantive review time-frame is increased from 376 business days to 438 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group V: Individual Class I transfer, amendment, and revision licenses.

(17) Class I transfer. This license is authorized and identified at A.R.S. §§ 49-429 and A.A.C. R18-2-302 and R18-2-323. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-323 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. The Department has limited experience with this license and has received only 2 applications for transfer licenses since 1994. Table 1 shows this license category with 5 business days for the administrative completeness review time-frame and 10 business days for the substantive review time-frame.

(18) Class I administrative amendment. This license is authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302 and R18-2-318. This license is not subject to sanctions because it does not require an application review fee. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-318 and require site inspection. The Department has received approximately 8 applications for this license since 1994. Table 1 shows this license category with 10 business days (approximately 2

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weeks) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(19) Class I minor revision. This license is authorized and identified at A.R.S. § 49-426.01 and A.A.C. R18-2-302 and R18-2-319. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-319 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. The Department has received approximately 33 applications for this license since 1994. Table 1 shows this license category with 41 business days (approximately 60 calendar days) for the administrative completeness review time-frame and 103 business days (approximately 150 calendar days) for the substantive review time-frame.

Class I significant revision licenses. These licenses are authorized and identified at A.R.S. § 49-426.01 and A.A.C. R18-2-302 and R18-2-320. These licenses are subject to sanctions because they require application review fees that are deposited into a Department fund and require substantive review. Application components are identified in rule at R18-2-304 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. The Department has issued 6 licenses in these license categories since 1994 and currently has 12 applications pending. None of these 12 applications will be subject to this draft rule because they are in process before the expected effective date of the rule. Only applications first received after the effective date of the rule will be subject to the rule. The structure, time-frames, operation, and rationale for these license categories (Categories 20-23) are the same as described for Group I above.

(20) Standard Class I significant revision with no public hearing. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Table 1 shows this license category with the days described for Category 21 ("Standard") except that the substantive review time-frame is shortened from 376 business days to 344 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(21) Standard Class I significant revision with a public hearing. This is a Model F license because substantive review of non-uniform application components and a public hearing are required. Table 1 shows this license category with the basic review times described in rule: 41 business days (approximately 2 months) for the administrative completeness review time-frame and 376 (approximately 18 months) for the substantive review time-frame.

(22) Complex Class I significant revision with no public hearing. This is a Model E license. Table 1 shows this license category with the days described for Category 20 above except that the substantive review time-frame is increased from 344 business days to 406 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(23) Complex Class I significant revision with a public hearing. This is a Model F license. Table 1 shows this license category with the days described for Category 21 above except that the substantive review time-frame is increased from 376 business days to 438 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group VI: Authority to operate (ATO) under Class I general permit licenses.

(24) Class I general permit coverage petition. This license is authorized and identified at A.R.S. § 49-426(H) and A.A.C. R18-2-302 and R18-2-502. This license is not subject to sanctions because it does not require an application fee. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-502(B). The Department has limited experience with this license category. Only 1 application has so far been received. That application was denied. Table 1 shows this license category with 21 business days (approximately 1 month) for the administrative completeness review time-frame and 61 business days (approximately 2 months) for the substantive review time-frame.

(25) Class I general coverage ATO permit. This license is authorized and identified at A.R.S. § 49-426(H) and A.A.C. R18-2-302 and R18-2-503. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-503 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-511. The Department has never received an application for this license. Table 1 shows this license category with 21 business days (approximately 1 month) for the administrative completeness review time-frame and 103 business days (approximately 5 months) for the substantive review time-frame.

(26) Class I general coverage ATO renewal permit. This license is authorized and identified at A.R.S. § 49-426(H) and A.A.C. R18-2-302 and R18-2-505. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-505 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-511. The Department has never received an application for this license. Table 1 shows this license

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category with 21 business days (approximately 1 month) for the administrative completeness review time-frame and 103 business days (approximately 5 months) for the substantive review time-frame.

b. Class I-type air licenses not subject to Article 7.1 licensing time-frame requirements.

(1) **County air licenses.** Licenses similar in nature to the Class I air licenses described above are issued by Maricopa, Pima, and Pinal counties under the state's county air pollution control program in accordance with A.R.S. §§ 49-471 through 49-516. These licenses are issued under authority independent from that of the Department and are not addressed in this rule making.

(2) **Acid rain permit.** An "acid rain permit" (CAA Title IV) in accordance with R18-2-333 (incorporating 40 C.F.R. § 72) is a set of additional conditions imposed on a licensee in a Class I PSD or NSR major source permit and is not a separate license and is not identified as such on the list below. The necessary acid rain (SO₂ and NO_x) conditions are incorporated into the base permit either when it first issues or through a reopening.

(3) **Facility change licenses.** Several licenses associated with Class I sources are created by notifying the Director of some proposed activity and, therefore, not subject to Article 7.1. These include proposed changes to permitted activities or facilities in accordance with R18-2-317(D). These represent Model B (notice) licenses.

(4) **Class I reopening.** This license is authorized and identified at A.R.S. § 49-402 and A.A.C. R18-2-321. Constructive applications prepared by the Department that may lead to this license are not subject to Article 7.1 because they are initiated by the Department.

2) Table 2: Class II Air Licenses

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the state's air pollution control program for minor sources in accordance with A.R.S. §§ 49-421 through 467 and administered by the Department's Air Permits Section of the Air Quality Division. The program governs sources not otherwise required to comply with the Clean Air Act (CAA). The Department issues the following Class II licenses in all counties except Maricopa, Pima, and Pinal. The following numbered license categories appear on Table 2 with the same corresponding numbers shown here in parentheses. The arrangement of licenses categories on this Table is as follows.

Individual Class II air permits.

Group I: Individual Class II new licenses.

Standard Class II permit with no public hearing (1).
Standard Class II permit with a public hearing (2).
Complex Class II permit with no public hearing (3).
Complex Class II permit with a public hearing (4).

Group II: Individual Class II renewal licenses.

Standard/complex and with/without a hearing as in Group I (5-8).

Group III: Individual Class II transfer, amendment, and revision licenses.

Class II transfer (9).

Class II administrative amendment (10).

Class II minor revision (11).

Class II significant revision: standard/complex and with/without a hearing as in Group I (12-15).

General Class II air permits.

Group IV: Authority to operate (ATO) under Class II general permit licenses.

Class II general permit coverage petition (16).
Class II general coverage ATO new permit (17).
Class II general coverage ATO renewal permit (18).
Class II general coverage ATO variance (19).

Group I: Individual Class II new licenses. These licenses are authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302. These licenses are subject to sanctions because they require application review fees that are deposited into a Department fund and the applications require substantive review. Application components are identified in rule at R18-2-304 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326.

The Department has issued approximately 158 licenses in these Group I categories since 1994 and has approximately 41 pending applications. Department experience has been that perhaps 1 or 2 of these applications per year might qualify as falling within one of the "complex" categories described below. None of these 41 applications will be subject to this draft rule because they will be in process before the expected effective date of the rule. Only applications first received after the effective date of the rule will be subject to the rule.

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The Department expects that all applications for licenses in this category group would be received first in Category 1 ("standard"). Should a public hearing be requested, the Department will reassign the application to Categories 2 or 4 ("with a hearing") in accordance with R18-1-516(A). The Department may reassign an application to Categories 3 or 4 ("complex") in accordance with R18-1-516(B) if the Department determines that the application requires a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. "Complex" as used in this draft rule is defined at R18-1-501(9).

(1) Standard Class II permit with no public hearing. This is a Model E (no hearing) license. (See discussion of license processing models at § I.C(3) above). Table 2 shows this license category with the days described for Category 2 below except that the substantive review time-frame is shortened from 272 business days to 240 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(2) Standard Class II permit with a public hearing. This is a Model F (with a hearing) license. (See discussion of license processing models at § I.C(3) above). Table 2 shows this license category with 41 business days (approximately 60 calendar days) for the administrative completeness review and 272 business days (approximately 13 months) for the substantive review time-frames. This is reasonably equivalent to the calendar days and months identified in the rule.

(3) Complex Class II permit with no public hearing. This is a Model E license. Table 2 shows this license category with the days described for Category 1 above except that the substantive review time-frame is increased from 240 business days to 302 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(4) Complex Class II permit with a public hearing. This is a Model F license. Table 2 shows this license category with the days described for Category 2 above except that the substantive review time-frame is increased from 272 business days to 334 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group II: Individual Class II renewal licenses. These licenses are authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302 and R18-2-322. These licenses are not subject to sanctions because they do not require application review fees. Application components are identified in rule at R18-2-304 and require a Department-generated application form and site inspection. The Department has issued approximately 16 Class II renewal licenses since 1994 and has approximately 12 applications pending. Department experience has been that perhaps 1 or 2 of these applications per year might qualify as falling within one of the "complex" categories described above. None of these 12 applications will be subject to this draft rule because they will be in process before the expected effective date of the rule. Only applications first received after the effective date of the rule will be subject to the rule. The structure, time-frames, operation, and rationale for these license categories (Categories 5-8) are the same as described for Group I above.

(5) Standard Class II renewal with no public hearing. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Table 2 shows this license category with the days described for Category 6 ("Standard") except that the substantive review time-frame is shortened from 272 business days to 240 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(6) Standard Class II renewal with a public hearing. This is a Model F license because substantive review of non-uniform application components and a public hearing are required. Table 2 shows this license category with the basic review times described in rule: 41 business days (approximately 2 months) for the administrative completeness review time-frame and 272 business days (approximately 13 months) for the substantive review time-frame.

(7) Complex Class II renewal with no public hearing. This is a Model E license. Table 2 shows this license category with the days described for Category 5 above except that the substantive review time-frame is increased from 240 business days to 302 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(8) Complex Class II renewal with a public hearing. This is a Model F license. Table 2 shows this license category with the days described for Category 6 above except that the substantive review time-frame is increased from 272 business days to 334 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group III: Individual Class II transfer, amendment, and revision licenses. The Department has issued 13 revision licenses since 1994 and currently has 8 applications pending. Department experience has been that perhaps 1 or 2 of these applications per year might qualify as falling within one of the "complex" categories described above. None of these 8 applications will be subject to this draft rule because they are in process before the expected effective date of the rule. Only applications first received after the effective date of the rule will be subject to the rule.

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(9) Class II transfer. This license is authorized and identified at A.R.S. § 49-429 and A.A.C. R18-2-302 and R18-2-323. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-323 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. The Department has issued approximately 16 Class II transfer licenses since 1994. Table 2 shows this licenses category with 5 business days for the administrative completeness review time-frame and 10 business days for the substantive review time-frame.

(10) Class II administrative amendment. This license is authorized and identified at A.R.S. § 49-426 and A.A.C. R18-2-302 and R18-2-318. This license is not subject to refund because it does not require an application review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-318 and require site inspection. The Department has issued approximately 8 Class II administrative amendments since 1994. Table 2 shows this licenses category with 10 business days (approximately 2 weeks) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(11) Class II minor revision. This license is authorized and identified at A.R.S. § 49-426.01 and A.A.C. R18-2-302 and R18-2-319. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-319 (revision anticipated) and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. The Department has issued approximately 22 class II minor revisions since 1994. Table 2 shows this licenses category with 41 business days (approximately 60 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

(12) Standard Class II significant revision with no public hearing. This license is authorized and identified at A.R.S. § 49-426.01 and A.A.C. R18-2-302 and R18-2-320. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-304 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. Table 2 shows this license category with the days described for Category 13 ("Standard") except that the substantive review time-frame is shortened from 230 business days to 198 business days. This represents a reasonable time reduction of 32 business days (approximately 45 calendar days) should the application not require a public hearing prior to the Department making a decision to grant the license.

(13) Standard Class II significant revision with a public hearing. This license is authorized and identified at A.R.S. § 49-426.01 and A.A.C. R18-2-302 and R18-2-320. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing are required. Application components are identified in rule at R18-2-304 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. Table 2 shows this license category with the basic review times described in rule: 41 business days (approximately 2 months) for the administrative completeness review time-frame and 230 business days (approximately 11 months) for the substantive review time-frame.

(14) Complex Class II significant revision with no public hearing. This license is authorized and identified at A.R.S. § 49-426.01 and A.A.C. R18-2-302 and R18-2-320. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-304 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. Table 2 shows this license category with the days described for Category 12 above except that the substantive review time-frame is increased from 198 business days to 260 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(15) Complex Class II significant revision with a public hearing. This license is authorized and identified at A.R.S. § 49-426.01 and A.A.C. R18-2-302 and R18-2-320. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing are required. Application components are identified in rule at R18-2-304 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-326. Table 2 shows this license category with the days described for Category 13 above except that the substantive review time-frame is increased from 230 business days to 292 business days. This represents a reasonable increase of 62 business days (approximately 2 months) for applications that require a significant increase in Department resources in excess of standard application proposals received in this license category group due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group IV: Authority to operate (ATO) under Class II general permit licenses.

(16) Class II general permit coverage petition. This license is authorized and identified at A.R.S. § 49-426(H) and A.A.C.

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R18-2-302 and R18-2-502(B). This license is not subject to sanctions because it does not require an application fee. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-502(B). The Department has established several Class II general permit categories on its own initiative and perhaps has not received an application for this license. Table 2 shows this license category with 21 business days (approximately 1 month) for the administrative completeness review time-frame and 61 business days (approximately 2 months) for the substantive review time-frame.

(17) Class II general coverage ATO new permit. This license is authorized and identified at A.R.S. § 49-426(H) and A.A.C. R18-2-302 and R18-2-503. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-503 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-511. The Department has issued approximately 81 licenses in this category since 1994 and has 7 applications pending. Table 2 shows this license category with 21 business days (approximately 1 month) for the administrative completeness review time-frame and 103 business days (approximately 5 months) for the substantive review time-frame.

(18) Class II general coverage ATO renewal permit. This license is authorized and identified at A.R.S. § 49-426(H) and A.A.C. R18-2-302 and R18-2-503. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-503 and require a Department-generated application form, site inspection and an initial fee. Application review fees are identified in rule at R18-2-511. Table 2 shows this license category with 21 business days (approximately 1 month) for the administrative completeness review time-frame and 103 business days (approximately 5 months) for the substantive review time-frame.

(19) Class II general coverage ATO variance. This license is authorized and identified at A.R.S. § 49-426(H) and A.A.C. R18-2-507. This license is subject to sanctions because it requires an application review fee that is deposited into a Department fund and requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-507 and require a Department-generated application form, site inspection and an initial fee. The Department has never received an application for this license. Table 2 shows this license category with 21 business days (approximately 1 month) for the administrative completeness review time-frame and 103 business days (approximately 5 months) for the substantive review time-frame.

b. Class II-type air licenses not subject to Article 7.1 licensing time-frame requirements.

(1) County air licenses. Licenses similar in nature to the Class II air licenses described above are issued by Maricopa, Pima, and Pinal counties under the state's county air pollution control program in accordance with A.R.S. §§ 49-471 through 49-516. These licenses are issued under authority independent from that of the Department and are not addressed in this rule making.

(2) Facility change licenses. Several licenses associated with Class II sources are created by notifying the Director of some proposed activity and, therefore, not subject to Article 7.1. These include proposed changes to permitted activities or facilities in accordance with R18-2-317(D). These represent Model B (notice) licenses.

(3) Class II reopening. This license is authorized and identified at A.R.S. § 49-402 and A.A.C. R18-2-321. Constructive applications prepared by the Department that may lead to this license are not subject to Article 7.1 because they are initiated by the Department.

3) Tables 3, 3-N, 3-S: Open Burning Licenses

The Department issues the following open burning licenses as part of the state's implementation of the state's open burning and forest and range burn management programs. Table 3 covers licenses issued by the Phoenix office, Table 3-N by the Northern Regional Office and Table 3-S by the Southern Regional Office.

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following open burning licenses as part of the state's implementation of the state's open burning program. The following numbered license category appears on Table 3, 3-N and 3-S with the same corresponding number in parentheses. These licenses are authorized and identified at A.R.S. § 49-501 and A.C.C. R18-2-602. These licenses are not subject to refund because they require no application review fee.

(1) Dangerous material open burning permit. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components for this license are identified at R18-2-602(E)(1) and require a Department-generated application form. Tables 3, 3-N and 3-S show this license category with 5 business days (approximately 1 week) for the administrative completeness review time-frame and 21 business days (approximately 1 month) for the substantive review time-frame. The Department has issued approximately 10 licenses in this category between January and September 1997.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements because they are issued within 7 days after receipt of the initial application in accordance with A.R.S. § 41-1073(D).

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Open burning licenses. These licenses are authorized and identified at A.R.S. § 49-501 and A.C.C. R18-2-602.

(1) **Weed abatement, fire hazard prevention, or fire fighting instruction open burning permit.** Application components for this license are identified at R18-2-602(C)(2). The Department has issued approximately 700 licenses in this category between January and September 1997 and denied another approximately 20 applications. Current Department practice is that once an applicant has successfully obtained an initial license, subsequent applications for additional licenses and Department grants of those licenses are made by telephone.

(2) **Ordinary household trash open burning permit.** Application components for this license are identified at R18-2-602(E)(2). The Department has received no applications for licenses in this category between January and September 1997.

Forest and range management burn licenses. These licenses are authorized and identified at A.R.S. § 49-501 and A.C.C. R18-2-1506.

(3) **Daily burn request approval.** Application components for this license are identified at R18-2-1505(G) and R18-2-1506. The Department has issued between approximately 1500 and 2000 licenses in this category each year from 1994 to 1996. Department experience has been to deny approximately 8-10% of requests.

(4) **Prescribed natural fire plan approval.** Application components for this license are identified at R18-2-1505(G) and R18-2-1508. The Department has issued only 6 licenses in this category so far in 1997. The Department expects applications to increase significantly in this category during 1998.

4) Table 4: Vehicle Emission Licenses

The Department issues the following licenses as part of the state's implementation of the motor vehicle emissions inspection program in accordance with A.R.S. §§ 49-541 through 49-554 and administered by the Department's Vehicle Emissions Section of the Air Quality Division.

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The following numbered license categories appear on Table 4 with the same corresponding number in parentheses.

(1) **Fleet station permit.** This license is authorized and identified at A.R.S. § 49-546 and A.A.C. R18-2-1019 and R18-2-1026. This license is not subject to sanctions because it does not require an application review fee. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-1019 and require a Department-generated application form. Table 4 shows 10 business days (approximately 2 weeks) for the administrative completeness review time-frame and 15 business days (approximately 3 weeks) for the substantive review time-frame. In 1996, the Department received approximately 350 applications for this license and issued approximately 350 licenses.

(2) **Analyzer facility registration.** This license is authorized and identified at A.R.S. §§ 49-542 (J)(4) and 49-546(A)(2) and A.A.C. R18-2-1027. This license is not subject to sanctions because it does not require an application review fee. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-2-1027. Table 4 shows 1 business day for the administrative completeness review time-frame and 15 business days for the substantive review time-frame. In 1996, the Department received approximately 90 applications for this license and issued approximately 90 licenses.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements because they are issued within 7 days after receipt of the initial application in accordance with A.R.S. § 41-1073(D).

(1) **Vehicle inspection compliance certification.** This license is authorized and identified at A.R.S. § 49-542 and A.A.C. R18-2-1006. Licensing decisions for this license are made immediately at the time of the application and on the same day. In 1996, the Department received approximately 1,400,000 applications for this license and issued approximately 980,000 licenses.

(2) **Waiver certification.** This license is authorized and identified at A.R.S. § 49-542 and A.A.C. R18-2-1008. In 1996, the Department received approximately 45,000 applications for this license and issued approximately 33,000 licenses.

(3) **Alternative fuel certification.** This license is authorized and identified at A.R.S. §§ 28-5808 and 49-542(F). In 1996, the Department received approximately 1200 applications for this license and issued approximately 1200 licenses.

(4) **Exemption certification.** This license is authorized and identified at A.R.S. § 49-542(J)(2) and A.A.C. R18-2-1023. In 1996, the Department received approximately 4200 applications for this license and issued approximately 4000 licenses.

(5) **Director's certification.** This license is authorized and identified at A.R.S. § 49-542(N) and A.A.C. R18-2-1006, R18-2-1022, and R18-2-1023. In 1996, the Department received approximately 400 applications for this license and issued approximately 400 licenses.

(6) **Fleet operator compliance inspection certificate.** This license is authorized and identified at A.R.S. § 49-542 and R18-2-1018. In 1996, the Department received approximately 1100 applications for this license and issued approximately 200,000 certificates. Individual applications may result in 100 or more certificates (licenses.)

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- (7) **Fleet agent approval.** This license is authorized and identified at A.R.S. § 49-546 and A.A.C. R18-2-1019(B)(1)(g). In 1996, the Department received approximately 350 applications for this license and issued approximately 350 licenses.
- (8) **Fleet inspector license.** This license is authorized and identified at A.R.S. § 49-546(A)(3) and A.A.C. R18-2-1016. In 1996, the Department received approximately 1500 applications for this license and issued approximately 1300 licenses.
- (9) **Contractor inspector license.** This license is authorized and identified at A.R.S. § 49-545 and A.A.C. R18-2-1025. In 1996, the Department received approximately 750 applications for this license and issued approximately 750 licenses.
- (10) **Analyzer repair technician certificate.** This license is authorized and identified at A.R.S. §§ 49-542 (J)(4) and 49-546(A)(2) and A.A.C. R18-2-1028. In 1996, the Department received approximately 20 applications for this license and issued approximately 20 licenses.
- (11) **Emissions technician certificate.** This license is authorized and identified at A.R.S. § 49-546(A)(3) and R18-2-1028. In 1996, the Department received approximately 150 applications for this license and issued approximately 150 licenses.

5) Tables 5, 5-N, 5-S: Safe Drinking Water Licenses

The Department issues the following licenses subject to licensing time-frame requirements as part of the Department's implementation of the state's safe drinking water program in accordance with A.R.S. §§ 49-351 through 49-356 and administered by the Department's Water Protection Approvals and Permits Section of the Water Quality Division. The following license categories appear on Tables 5, 5-N and 5-S with the same corresponding numbers shown here in parentheses. Table 5 cover license issued by the Phoenix office, Table 5-N by the Northern Regional Office, and Table 5-S by the Southern Regional Office. The arrangement of licenses categories on the tables is as follows.

Group I: Drinking water approval-to-construct (ATC) licenses.

Standard drinking water treatment facility, project, or well ATC (1).
Complex drinking water treatment facility, project, or well ATC (2).
Standard public and semi-public swimming pool design approval (3).
Complex public and semi-public swimming pool design approval (4).

Group II: Drinking water approval-of-construction (AOC) licenses.

Standard/complex water treatment facility, project, or well AOC (5-6).
Standard/complex public and semi-public swimming pool AOC (7-8).

Group III: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review.

Subdivision water approval (with water extension lines only) (9).
Standard/complex subdivision water approval (with new water or sewage system) (10-11).
Water and on-site subdivision approval (with new water or sewage system) (12).
Dry lot and on-site subdivision approval (with new sewage system) (13).

Group IV: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review.

Standard/complex subdivision water approval (with new water or sewage system) (14-15).

Group V: Other licenses.

Standard/complex water new source approval (16-17).
Drinking water time extension approval (18).

The construction approval licenses of the safe drinking water program are often closely related to corresponding construction licenses administered by the Department's wastewater collection and treatment program. The Department receives from 600 to 1100 applications each year for the construction of drinking water and wastewater facilities. Currently, the Department is receiving applications at the approximate rate of 700 to 750 per year with 400 to 450 of these applications containing requests for drinking water construction licenses of some kind.

Each application usually contains requests for 1 to 5 separate licenses identified on Tables 5 and 6 of this draft rule. Approximately 25% of applications request only a single construction license such as a drinking water, well, or wastewater approval. Approximately 50% of applications concern both water and wastewater construction and may contain requests for several licenses. The other approximately 25% of applications concern subdivision sanitary approvals with requests for at least 3 licenses (subdivision, drinking water, and wastewater). Department experience is that total drinking water and wastewater construction licenses issued in recent years can vary between approximately 1500 and 3500 annually and that failure to reach a timely licensing decision almost always is due to failure by the applicant to respond to a notice of administrative deficiencies or a request for additional information.

Delegation agreements with counties to assume the issuance of a certain portion of these licenses has reduced the overall numbers issued by the Department in recent years. However, the average technical complexity of applications reviewed by the Department has increased even as overall numbers have decreased. This is due in part because county review focuses more on simpler application proposals. This leaves the Department with a higher proportion of more complex applications. In addition, the treatment technology expressed in application proposals continues to increase in complexity including alternative and other novel technologies. On the other hand, Department experience is that actual review time is often unrelated to the size of the proposed facility. This is because documentation submitted to support applications for larger facilities are usually much better engineered and presented than that submitted for smaller facilities.

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Except for Group V, licenses on this table are not subject to sanctions because they do not require application review fees. No review application review times for these licenses currently appear in statute or rule. The following times are based on current Department experience, the assumption that the provisions of this draft rule will apply, and that approximately 5 to 10% of applications will be processed in the various "complex" categories.

Group I: Drinking water approval-to-construct (ATC) licenses. During the last fiscal year (1996-97), the Department received 614 applications for water and wastewater construction projects. In response, the 2 programs issued decisions on 836 license requests. Of these, 258 decisions concerned drinking water treatment facility, project, and well ATC requests. During the first 6 months of 1997, Department experience for issuance of a final approval or a letter of substantive deficiencies for all applications for drinking water facility ATC licenses shows that 50% were issued within 19 calendar days after receipt and 90% within 58 calendar days. The Department expects to adjust its review procedure in accordance with the time-frames statute to conduct an administrative completeness review prior to commencement of substantive review. The following times are based on this assumed change. Even so, current Department experience is that final approvals for 50% of these licence applications were issued within 28 calendar days and 90% within 131 calendar days.

The Department also expects to make other changes in its current application review process for ATC licenses. For example, the Department currently accepts ATC applications even when the applicant has not yet obtained an aquifer protection permit (APP) if required. Under this rule, the Department either may refrain from accepting such premature applications or it may accept them but identify the APP as a missing application component in a notice of administrative deficiencies with the effect of suspending the clock until such time as the APP is obtained.

(1) Standard drinking water treatment facility, project, or well ATC. This license is authorized and identified at A.R.S. § 49-353 and A.A.C. R18-4-505. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is a Model E license because it requires substantive review of non-uniform application components and does not require a public hearing. Application components are identified in rule at R18-4-505 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license with 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(2) Complex drinking water treatment facility, project, or well ATC. Tables 5, 5-N and 5-S show this category based on license category 1 above with the substantive review time-frame increased from 32 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(3) Standard public and semi-public swimming pool design approval. This license is authorized and identified at A.R.S. § 49-104(B)(12). This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is a Model E license because it requires substantive review of non-uniform application components and does not require a public hearing. Application components are identified in rule at R18-5-203 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license with 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 21 business days for the substantive review time-frame.

(4) Complex public and semi-public swimming pool design approval. Tables 5, 5-N and 5-S show this category based on license category 3 above with the substantive review time-frame increased from 21 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

Group II: Drinking water approval-of-construction (AOC) licenses.

(5) Standard drinking water treatment facility, project, or well AOC. This license is authorized and identified at A.R.S. § 49-353 and A.A.C. R18-4-507. This license is not subject to sanctions because it does not incur an application review fee. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-507 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license with 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(6) Complex drinking water treatment facility, project, and well AOC. Tables 5, 5-N and 5-S show this category based on license category 5 above with the substantive review increased from 32 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(7) Standard public and semi-public swimming pool AOC. This license is authorized and identified at A.R.S. § 49-104(B)(12). This license is not subject to sanctions because it does not incur an application review fee. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-204 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license with 21 business days (approximately 30 calendar days) for the administrative completeness

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review time-frame and 21 business days (approximately 30 calendar days) for the substantive time-frame.

(8) Complex public and semi-public swimming pool AOC. Tables 5, 5-N and 5-S show this category based on license category 7 above with the substantive review increased from 21 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

Group III: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review.

Subdivision sanitary facility license application review can include substantive review for consistency with CWA § 208 requirements, or it can require, as an administrative completeness component, evidence of prior verification that § 208 requirements are satisfied prior to review. This Group of licenses categories requires as an administrative completeness component proof of prior verification that § 208 requirements are satisfied. Group IV consists of an identical set of license categories except that the Department must verify compliance with § 208 requirements as part of its review. During the last fiscal year (1996-97), the Department received 102 applications for subdivision projects. Of these, the Department issued licenses in response to 80 of these applications. The other 22 applications were either withdrawn or abandoned by the applicants or denied by the Department.

(9) Subdivision water approval (with water extension lines only). This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license with 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(10) Standard subdivision water approval (with new water or sewage system). This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411 and require a Department-generated application form, site inspection and proof of a § 208 consistency determination. Tables 5, 5-N and 5-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 37 business days (approximately 45 calendar days plus 1 week) for the substantive review time-frame. The additional 1 week allows for final coordination with the wastewater program.

(11) Complex subdivision water approval (with new water or sewage system). Tables 5, 5-N and 5-S show this category based on license category 10 above with the substantive review increased from 37 to 67 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(12) Water and on-site subdivision approval (with new water or sewage system). This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411 and require a Department-generated application form, site inspection and proof of a § 208 consistency determination. Tables 5, 5-N and 5-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(13) Dry lot and on-site subdivision approval (with new sewage system). This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411 and require a Department-generated application form, site inspection and proof of a § 208 consistency determination. Tables 5, 5-N and 5-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

Group IV: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review.

This group of license categories differs from those in Group III in that under this group of categories CWA § 208 consistency review still needs to occur.

(14) Standard subdivision water approval (with new water or sewage system). This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license based on license category 10 above with the administrative completeness review time-frame increased from 32 to 53 business days and the substantive review time-frame increase from 32 to 88 business days to account for the need to perform a § 208 con-

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sistency review.

(15) Complex subdivision water approval (with new water or sewage system). This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license based on license category 11 above with the administrative completeness review time-frame increased from 32 to 53 business days and the substantive review time-frame increase from 62 to 88 business days to account for the need to perform a § 208 consistency review.

Group V: Other drinking water construction licenses.

(16) Standard drinking water new source approval. This license is authorized and identified at A.R.S. § 49-353 and A.A.C. R18-4-505. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-505 and require a Department-generated application form and site inspection. Tables 5, 5-N and 5-S show this license with 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(17) Complex drinking water new source approval. Tables 5, 5-N and 5-S show this category based on license category 16 above with the substantive review increased from 32 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(18) Drinking water time extension approval. This license is authorized and identified at A.R.S. § 49-353 and A.A.C. R18-4-505. This license is not subject to sanctions because the Department does not collect a fee for its issuance. This is Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-505 and require a Department-generated application form. Tables 5, 5-N and 5-S show this license with 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 11 business days for the substantive review time-frame.

6) Tables 6, 6-N, 6-S: Wastewater licenses

The Department issues the following licenses which are subject to licensing time-frame requirements as part of the Department's implementation of the state's wastewater collection and treatment program in accordance with A.R.S. §§ 49-361 through 49-391 and administered by the Department's Water Protection Approvals and Permits Section of the Water Quality Division. The following numbered license categories appear on Tables 6, 6-N and 6-S with the same corresponding numbers shown here in parentheses. Table 6 cover license issued by the Phoenix office, Table 6-N by the Northern Regional Office and Table 6-S by the Southern Regional Office. The arrangement of licenses categories on the tables is as follows.

Group I: Wastewater approval-to-construct (ATC) licenses with no Clean Water Act (CWA) § 208 consistency review.

Standard/complex wastewater treatment facility ATC (1-2).
Standard/complex sewerage collection system ATC (3-4).
Standard/complex individual on-site wastewater facility ATC (5-6).
Standard/complex non-individual on-site wastewater facility ATC (7-8).
Standard/complex reclaimed wastewater and sewage disposal facility ATC (9-10).

Group II: Wastewater approval-to-construct (ATC) licenses with Clean Water Act (CWA) § 208 consistency review.

Standard/complex wastewater treatment facility ATC (1-12).
Standard/complex sewerage collection system ATC (13-14).
Standard/complex individual on-site wastewater facility ATC (15-16).
Standard/complex non-individual on-site wastewater facility ATC (17-18).
Standard/complex reclaimed wastewater and sewage disposal facility ATC (19-20).

Group III: Wastewater approval-of-construction (AOC) licenses.

Standard/complex wastewater treatment facility AOC (21-22).
Standard/complex sewerage collection system AOC (23-24).
Standard/complex individual on-site wastewater facility AOC (25-26).
Standard/complex non-individual on-site wastewater facility AOC (27-28).
Standard/complex reclaimed wastewater and sewage disposal facility AOC (29-30).

Group IV: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review.

Standard/complex subdivision wastewater approval (31-32).
Standard/complex water and on-site wastewater subdivision approval (33-34).
Standard/complex dry lot and on-site wastewater subdivision approval (35-36).

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Group V: Subdivision sanitary facility licenses with Clean Water Act (CWA) § 208 consistency review.
Standard/complex subdivision wastewater approval (37-38).
Standard/complex water and on-site wastewater subdivision approval (39-40).
Standard/complex dry lot and on-site wastewater subdivision approval (41-42).

Group VI: Other wastewater licenses.
Wastewater time extension approval (43).
Clean water act (CWA) § 208 consistency review approval (44).

The construction approval licenses of the wastewater collection and treatment program are often closely related to corresponding construction licenses administered by the Department's drinking water treatment and distribution program. See the explanation of the Department's experience with these programs described above at pages III-19 to III-20.

The following times are based on current Department experience, the assumption that the provisions of this draft rule will apply, and that approximately 5 to 10% of applications will be processed in the various "complex" categories.

Group I: Wastewater approval-to-construct (ATC) licenses with no Clean Water Act (CWA) § 208 consistency review. Wastewater ATC license application review can include substantive review for consistency with CWA § 208 requirements, or it can require, as an administrative completeness component, evidence of prior verification that § 208 requirements are satisfied prior to review. This Group of license categories requires as an administrative completeness component proof of prior verification that § 208 requirements are satisfied. Group II consists of an identical set of license categories except that the Department must verify compliance with § 208 requirements as part of its review.

(1) Standard wastewater treatment facility ATC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(2) Complex wastewater treatment facility ATC. Table 6, Table 6-N and Table 6-S show this category based on license category 1 above with the substantive review increased from 32 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(3) Standard sewerage collection system ATC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(4) Complex sewerage collection system ATC. Table 6, Table 6-N and Table 6-S show this category based on license category 3 above with the substantive review increased from 32 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(5) Standard individual on-site wastewater facility ATC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 21 business days (approximately 30 calendar days) for the substantive review time-frame.

(6) Complex individual on-site wastewater facility ATC. Table 6, Table 6-N and Table 6-S show this category based on license category 5 above with the substantive review increased from 21 to 41 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 60 calendar days for the entire substantive review time-frame.

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(7) **Standard non-individual on-site wastewater facility ATC.** This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(8) **Complex non-individual on-site wastewater facility ATC.** Table 6, Table 6-N and Table 6-S show this category based on license category 7 above with the substantive review increased from 41 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(9) **Standard reclaimed wastewater and sewage disposal facility ATC.** This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-703, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(10) **Complex reclaimed wastewater and sewage disposal facility ATC.** Table 6, Table 6-N and Table 6-S show this category based on license category 9 above with the substantive review increased from 41 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

Group II: Wastewater approval-to-construct (ATC) licenses with Clean Water Act (CWA) § 208 consistency review. This group of license categories differs from those in Group I in that under this group of categories CWA § 208 consistency review still needs to occur.

(11) **Standard wastewater treatment facility ATC.** This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee, as well as the components necessary for the Department to conduct the § 208 consistency review. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license based on license category 1 above with the administrative completeness review time-frame increased from 32 to 53 business days and the substantive review time-frame increased from 32 to 53 business days to account for the need to perform a § 208 consistency review.

(12) **Complex wastewater treatment facility ATC.** Table 6, Table 6-N and Table 6-S show this category based on license category 11 above with the substantive review time-frame increased from 53 to 83 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 120 calendar days for the entire substantive review time-frame.

(13) **Standard sewerage collection system ATC.** This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee, as well as the components necessary for the Department to conduct the § 208 consistency review. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license based on license category 3 above with the administrative completeness review time-frame increased from 21 to 42 business days and the substantive review time-frame increased from 32 to 53 business days to account for the need to perform a § 208 consistency review.

(14) **Complex sewerage collection system ATC.** Table 6, Table 6-N and Table 6-S show this category based on license category 13 above with the substantive review time-frame increased from 53 to 83 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 120 calendar days for the entire substantive review time-frame.

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(15) Standard individual on-site wastewater facility ATC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee, as well as the components necessary for the Department to conduct the § 208 consistency review. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license based on license category 5 above with the administrative completeness review time-frame increased from 21 to 53 business days and the substantive review time-frame increased from 32 to 53 business days to account for the need to perform a § 208 consistency review.

(16) Complex individual on-site wastewater facility ATC. Table 6, Table 6-N and Table 6-S show this category based on license category 15 above with the substantive review time-frame increased from 53 to 83 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 120 calendar days for the entire substantive review time-frame.

(17) Standard non-individual on-site wastewater facility ATC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee, as well as the components necessary for the Department to conduct the § 208 consistency review. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license based on license category 7 above with the administrative completeness review time-frame increased from 32 to 53 business days and the substantive review time-frame increased from 41 to 62 business days to account for the need to perform a § 208 consistency review.

(18) Complex non-individual on-site wastewater facility ATC. Table 6, Table 6-N and Table 6-S show this category based on license category 17 above with the substantive review time-frame increased from 62 to 83 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 120 calendar days for the entire substantive review time-frame.

(19) Standard reclaimed wastewater and sewage disposal facility ATC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-703, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee, as well as the components necessary for the Department to conduct the § 208 consistency review. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license based on license category 9 above with the administrative completeness review time-frame increased from 32 to 53 business days and the substantive review time-frame increased from 41 to 63 business days to account for the need to perform a § 208 consistency review.

(20) Complex reclaimed wastewater and sewage disposal facility ATC. Table 6, Table 6-N and Table 6-S show this category based on license category 19 above with the substantive review time-frame increased from 63 to 83 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 120 calendar days for the entire substantive review time-frame.

Group III: Wastewater approval-of-construction (AOC) licenses.

(21) Standard wastewater treatment facility AOC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-805, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(22) Complex wastewater treatment facility AOC. Table 6, Table 6-N and Table 6-S show this category based on license category 21 above with the substantive review increased from 32 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(23) Standard sewerage collection system AOC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform

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application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-805, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

(24) Complex sewerage collection system AOC. Table 6, Table 6-N and Table 6-S show this category based on license category 2 above with the substantive review increased from 32 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(25) Standard individual on-site wastewater facility AOC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-805, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 21 business days (approximately 30 calendar days) for the substantive review time-frame.

(26) Complex individual on-site wastewater facility AOC. Table 6, Table 6-N and Table 6-S show this category based on license category 25 above with the substantive review increased from 21 to 41 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 60 calendar days for the entire substantive review time-frame.

(27) Standard non-individual on-site wastewater facility AOC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-805, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(28) Complex non-individual on-site wastewater facility AOC. Table 6, Table 6-N and Table 6-S show this category based on license category 27 above with the substantive review increased from 41 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

(29) Standard reclaimed wastewater and sewage disposal facility AOC. This license is authorized and identified at A.R.S. §§ 49-361 and 362 and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection and an initial fee. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(30) Complex reclaimed wastewater and sewage disposal facility AOC. Table 6, Table 6-N and Table 6-S show this category based on license category 29 above with the substantive review increased from 41 to 62 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal. This increase results in approximately 90 calendar days for the entire substantive review time-frame.

Group IV: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review. Subdivision sanitary facility license application review can include substantive review for consistency with CWA § 208 requirements, or it can require as an administrative completeness component proof of prior verification that § 208 requirements are satisfied. This Group of license categories requires as an administrative completeness component proof of prior verification that § 208 requirements are satisfied. Group V consists of an identical set of license categories except that the Department must verify compliance with § 208 requirements as part of its review.

(31) Standard subdivision wastewater approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof

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of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 37 business days (approximately 45 calendar days plus 1 week) for the substantive review time-frame. The additional 1 week allows the wastewater program to conduct final coordination activities after drinking water review is complete.

(32) Complex subdivision wastewater approval. Table 6, Table 6-N and Table 6-S show this category based on license category 31 above with the substantive review increased from 37 to 67 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(33) Standard water and on-site wastewater subdivision approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 46 business days (approximately 60 calendar days plus 1 week) for the substantive review time-frame. The additional 1 week allows the wastewater program to conduct final coordination activities after drinking water review is complete.

(34) Complex water and on-site wastewater subdivision approval. Table 6, Table 6-N and Table 6-S show this category based on license category 33 above with the substantive review increased from 46 to 67 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(35) Standard dry lot and on-site wastewater subdivision approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 46 business days (approximately 60 calendar days plus 1 week) for the substantive review time-frame. This additional 1 week allows the wastewater program to conduct final coordination activities after drinking water review is complete.

(36) Complex dry lot and on-site wastewater subdivision approval. Table 6, Table 6-N and Table 6-S show this category based on license category 35 above with the substantive review increased from 46 to 67 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group V: Subdivision sanitary facility licenses with Clean Water Act (CWA) § 208 consistency review.

This group of license categories differs from those in Group IV in that under this group of categories CWA § 208 consistency review still needs to occur.

(37) Standard subdivision wastewater approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, and an initial fee, as well as the components necessary for the compared to verify that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 53 business days for the administrative completeness review time-frame and 58 business days for the substantive review time-frame. The increase in review days compared to the Group IV category accounts for the need to conduct the CWA § 208 consistency review.

(38) Complex subdivision wastewater approval. Table 6, Table 6-N and Table 6-S show this category based on license category 37 above with the substantive review increased from 58 to 88 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(39) Standard water and on-site wastewater subdivision approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, as well as the components necessary for the Department to verify that § 208 requirements are satisfied. The

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fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 53 business days for the administrative completeness review time-frame and 67 business days for the substantive review time-frame. The increase in review days compared to the Group IV category accounts for the need to conduct the CWA § 208 consistency review.

(40) Complex water and on-site wastewater subdivision approval. Table 6, Table 6-N and Table 6-S show this category based on license category 39 above with the substantive review increased from 67 to 88 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(41) Standard dry lot and on-site wastewater subdivision approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, as well as the components necessary for the Department to verify that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 53 business days for the administrative completeness review time-frame and 67 business days for the substantive review time-frame. The increase in review days compared to the Group IV category accounts for the need to conduct the CWA § 208 consistency review.

(42) Complex dry lot and on-site wastewater subdivision approval. Table 6, Table 6-N and Table 6-S show this category based on license category 41 above with the substantive review increased from 67 to 88 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group VI: Other wastewater licenses.

(43) Wastewater time extension approval. This license is authorized and identified at A.R.S. §§ 49-361 and 49-362 and A.A.C. R18-9-804(F). This license is subject to sanctions because the application requires substantive review and an application review fee. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-804(F) and require a Department-generated application form and an initial fee. The fee is identified in rule at R18-14-101 through R18-14-108. Table 6, Table 6-N and Table 6-S show this license with 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 21 business days (approximately 30 calendar days) for the substantive review time-frame.

(44) Clean water act (CWA) § 208 consistency review approval. This license is authorized and identified at A.R.S. §§ 49-361 and 49-362 and A.A.C. R18-9-804(I) and R18-9-804(J). This license is not subject to sanctions because no fee is required for application review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-804(I) and R18-9-804(J) and require a Department-generated application form. Table 6, Table 6-N and Table 6-S show this license with 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 21 business days (approximately 30 calendar days) for the substantive review time-frame.

7) Tables 7, 7-N, 7-S: Subdivision Construction Licenses

The Department issues the following subdivision construction licenses which are subject to licensing time-frame requirements as part of the Department's implementation of the state's safe drinking water program and wastewater collection and treatment program in accordance with A.R.S. §§ 49-351 through 49-356 and 49-361 through 49-391 and administered by the Department's Water Protection Approvals and Permits Section of the Water Quality Division. The following numbered license categories appear on Tables 7, 7-N and 7-S with the same corresponding numbers shown here in parentheses. Table 7 cover license issued by the Phoenix office, Table 7-N by the Northern Regional Office and Table 7-S by the Southern Regional Office.

This set of tables is presented as an alternative to the subdivision categories shown on Tables 5, 5-N, and 5-S which separately show the safe drinking water licenses and Tables 6, 6-N, and 6-S which separately show the wastewater licenses. Here, the safe drinking water and wastewater licenses are shown combined, although the analysis of administrative completeness review and substantive review time-frames follows the analysis for corresponding categories in Tables 5, 5-N and 5-S and Tables 6, 6-N, and 6-S. As with those tables, the times presented in Tables 7, 7-N and 7-S are based on current Department experience and assumptions that the provisions of this draft rule will apply and approximately 5 to 10% of applications will be processed in the various "complex" categories.

The arrangement of Table 7, 7-N and 7-S is presented as follows.

Group I: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review.
Standard/complex subdivision water and wastewater approval (1-2).
Standard/complex water and on-site wastewater subdivision approval (3-4).
Standard/complex dry lot and on-site wastewater subdivision approval (5-6).

Group II: Subdivision sanitary facility licenses with Clean Water Act (CWA) § 208 consistency review.
Standard/complex subdivision water and wastewater approval (7-8).

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Standard/complex water and on-site wastewater subdivision approval (9-10).
Standard/complex dry lot and on-site wastewater subdivision approval (11-12).

Group I: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review. Subdivision sanitary facility license application review can include substantive review for consistency with CWA § 208 requirements or it can require, as an administrative completeness component, evidence of verification that § 208 requirements are satisfied prior to review. This Group of license categories requires as an administrative completeness component evidence of prior verification that § 208 requirements are satisfied. Group II consists of an identical set of license categories except that the Department must verify compliance with § 208 requirements as part of its review.

(1) Standard subdivision water and wastewater approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411 and R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 7, Table 7-N and Table 7-S show this license category with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 37 business days (approximately 45 calendar days plus 1 week) for the substantive review time-frame. The additional 1 week allows the wastewater program to conduct final coordination activities after drinking water review is complete.

(2) Complex subdivision water and wastewater approval. Table 7, Table 7-N and Table 7-S show this category based on license category 1 above with the substantive review increased from 37 to 67 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(3) Standard water and on-site wastewater subdivision approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411 and R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 7, Table 7-N and Table 7-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 46 business days (approximately 60 calendar days plus 1 week) for the substantive review time-frame. The additional 1 week allows the wastewater program to conduct final coordination activities after drinking water review is complete.

(4) Complex water and on-site wastewater subdivision approval. Table 7, Table 7-N and Table 7-S show this category based on license category 3 above with the substantive review increased from 46 to 67 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(5) Standard dry lot and on-site wastewater subdivision approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411 and R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, an initial fee, and proof of prior verification that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 7, Table 7-N and Table 7-S show this license with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 46 business days (approximately 60 calendar days plus 1 week) for the substantive review time-frame. This additional 1 week allows the wastewater program to conduct final coordination activities after drinking water review is complete.

(6) Complex dry lot and on-site wastewater subdivision approval. Table 7, Table 7-N and Table 7-S show this category based on license category 5 above with the substantive review increased from 46 to 67 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

Group II: Subdivision sanitary facility licenses with Clean Water Act (CWA) § 208 consistency review.

This group of license categories differs from those in Group I in that under this group of categories CWA § 208 consistency review still needs to occur.

(7) Standard subdivision water and wastewater approval. This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411 and R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, and an initial fee, as well as the components necessary for the Depart-

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ment to verify that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 7, Table 7-N and Table 7-S show this license with 53 business days for the administrative completeness review time-frame and 58 business days for the substantive review time-frame. The increase in review days relative to the Group I category accounts for the need to conduct the CWA § 208 consistency review.

(8) **Complex subdivision water and wastewater approval.** Table 7, Table 7-N and Table 7-S show this category based on license category 7 above with the substantive review increased from 58 to 88 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(9) **Standard water and on-site wastewater subdivision approval.** This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411 and R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, and an initial fee, as well as the components necessary for the Department to verify that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 7, Table 7-N and Table 7-S show this license with 53 business days for the administrative completeness review time-frame and 67 business days for the substantive review time-frame. The increase in review days relative to the Group I category accounts for the need to conduct the CWA § 208 consistency review.

(10) **Complex water and on-site wastewater subdivision approval.** Table 7, Table 7-N and Table 7-S show this category based on license category 9 above with the substantive review increased from 67 to 88 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

(11) **Standard dry lot and on-site wastewater subdivision approval.** This license is authorized and identified at A.R.S. § 49-104(B)(11) and A.A.C. R18-5-401 through R18-5-411 and R18-9-804. This license is subject to sanctions because it incurs an application review fee that is deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806 and require a Department-generated application form, site inspection, and an initial fee, as well as the components necessary for the Department to verify that § 208 requirements are satisfied. The fee is identified in rule at R18-14-101 through R18-14-108. Table 7, Table 7-N and Table 7-S show this license with 53 business days for the administrative completeness review time-frame and 67 business days for the substantive review time-frame. The increase in review days relative to the Group I category accounts for the need to conduct the CWA § 208 consistency review.

(12) **Complex dry lot and on-site wastewater subdivision approval.** Table 7, Table 7-N and Table 7-S show this category based on license category 11 above with the substantive review increased from 67 to 88 business days. This increase accounts for applications that require a significant increase in Department resources in excess of standard application proposals due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.

8) Table 8: Safe Drinking Water Monitoring and Treatment Licenses.

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the Department's implementation of the state's safe drinking water and potable water systems program in accordance with A.R.S. §§ 49-351 through 49-360 and administered by the Department's Drinking Water Section of the Water Quality Division. The following numbered license categories appear on Table 8 with the same corresponding numbers shown here in parentheses. The arrangement of licenses categories on Table 8 is as follows.

Group I: Safe drinking water monitoring, sample, and sample site change and waiver licenses.

- Monitoring frequency change approval (1).
- Monitoring sample change approval (2).
- Residual disinfectant concentration sampling interval approval (3).
- Interim monitoring relief determination (4).
- Man-made radioactivity environmental surveillance substitution approval (5).
- Consecutive public water system monitoring requirements modification approval (6).
- Trihalomethane source basis for sampling purposes approval (7).
- Sodium multiple well sampling number reduction approval (8).
- Turbidity monitoring frequency reduction approval (9).
- Monitoring waiver approval (10).

Group II: Safe drinking water variance and exemption licenses.

- Maximum contaminant level or treatment technique requirement variance with/without a public hearing (11-12).
- Maximum contaminant level or treatment technique requirement exemption with/without a public hearing (13-14).
- Maximum contaminant level or treatment technique requirement compliance extension approval (15).
- Maximum contaminant level or treatment technique requirement compliance additional extension approval (16).
- Safe drinking water requirement exclusion approval (17).

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Backflow-prevention assembly third-party certifying entity designation approval (18).

Group III: Safe drinking water treatment and monitoring plan licenses.

Maximum contaminant level compliance blending plan approval (19).

Maximum contaminant level compliance blending plan change approval (20).

Maximum contaminant level compliance at subsequent downstream service connections monitoring plan approval (21).

Point-of-entry treatment device monitoring plan approval (22).

Point-of-entry treatment device design approval (23).

Lead and copper source water treatment determination modification (24).

Lead and copper source water concentration determination modification (25).

Lead service line extent under system control determination (26).

Lead service line extent under system control rebuttable presumption determination (27).

Group IV: Lead and copper corrosion control licenses.

Lead and copper optimal corrosion control treatment approval (28).

Large water system lead and copper corrosion control activities equivalency demonstration approval (29).

Small and medium water system lead and copper corrosion control activities equivalency demonstration approval (30).

Lead and copper optimal corrosion treatment determination modification (31).

Lead and copper water quality control parameters determination modification (32).

Group I: Safe drinking water monitoring, sample, and sample site change and waiver licenses.

(1) Monitoring frequency change approval. These licenses are authorized and required by A.R.S. § 49-353(A)(2) and A.A.C. R18-4-206 through R18-4-403. These licenses are not subject to sanctions because the Department does not collect fees from applicants for their issuance. These are Model E licenses because substantive review of non-uniform application components are required and a public hearing is not required. Application components are identified in rule as indicated below and require a Department-generated application form. Department experience is that approximately 2 months are required to process each of these licenses, or 42 business days. Table 8 breaks this up into 15 business days for administrative completeness review and 27 business days for substantive review.

(a) Inorganic chemical groundwater monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-206(G)(1).

(b) Inorganic chemical surface water monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-206(G)(2).

(c) Inorganic chemical monitoring frequency change approval. This license is identified at A.A.C. R18-4-206(J).

(d) Inorganic chemical groundwater monitoring frequency (triennial) reduction approval. This license is identified at A.A.C. R18-4-206(K)(1) and R18-4-206(K)(6).

(e) Inorganic chemical surface water monitoring frequency (annual) reduction approval. This license is identified at A.A.C. R18-4-206(K)(2) and R18-4-206(K)(6).

(f) Asbestos groundwater monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-207(I)(1).

(g) Asbestos surface water monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-207(I)(2).

(h) Nitrate surface water monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-208(E).

(i) Nitrate groundwater monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-208(F).

(j) Nitrate monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-209(G).

(k) Volatile organic compound (VOC) initial monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-212(E).

(l) Volatile organic compound (VOC) monitoring frequency (annual) reduction approval. This license is identified at A.A.C. R18-4-212(F).

(m) Volatile organic compound (VOC) groundwater monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-212(G)(1).

(n) Volatile organic compound (VOC) surface water monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-212(G)(2).

(o) Volatile organic compound (VOC) groundwater monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-212(I)(3).

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- (p) Volatile organic compound (VOC) groundwater monitoring frequency (annual) reduction approval. This license is identified at A.A.C. R18-4-212(I)(3).
- (q) Volatile organic compound (VOC) surface water monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-212(I)(3).
- (r) Vinyl chloride monitoring (quarterly) reduction approval. This license is identified at A.A.C. R18-4-213(A).
- (t) Trihalomethane groundwater source monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-214(F).
- (u) Synthetic organic compound (SOC) monitoring (quarterly) reduction approval (for systems serving more than 3300 persons). This license is identified at A.A.C. R18-4-216(E), R18-4-216(G)(1).
- (v) Synthetic organic compound (SOC) monitoring (quarterly) reduction approval (for systems serving 3300 or fewer persons). This license is identified at A.A.C. R18-4-216(E), R18-4-216(G)(2).
- (w) Synthetic organic compound (SOC) monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-216(H)(3).
- (x) Radiochemical monitoring frequency (quarterly) reduction approval. This license is identified at A.A.C. R18-4-217(E)(1).
- (y) Man-made radioactivity monitoring frequency variance approval. This license is identified at A.A.C. R18-4-217(H)(4).
- (z) Lead and copper tap water monitoring frequency (biannual) reduction approval. This license is identified at A.A.C. R18-4-310(E).
- (aa) Lead and copper tap water monitoring frequency (annual) reduction approval. This license is identified at A.A.C. R18-4-310(E)(2).
- (bb) Lead and copper tap water monitoring frequency (semiannual) reduction approval. This license is identified at A.A.C. R18-4-313(K).
- (cc) Lead and copper tap water monitoring frequency (semiannual) reduction approval. This license is identified at A.A.C. R18-4-313(M)(1).
- (dd) Lead and copper tap water monitoring frequency (semiannual) reduction approval. This license is identified at A.A.C. R18-4-313(M)(2).
- (ee) Lead and copper tap water monitoring frequency (semiannual) reduction revision. This license is identified at A.A.C. R18-4-313(M)(2).
- (ff) Lead and copper tap water monitoring frequency (annual) reduction approval. This license is identified at A.A.C. R18-4-313(M)(4).
- (gg) Nickel groundwater monitoring frequency (triennial) reduction approval. This license is identified at A.A.C. R18-4-403(E)(1).
- (hh) Nickel surface water monitoring frequency (annual) reduction approval. This license is identified at A.A.C. R18-4-403(E)(2).
- (ii) Nickel groundwater monitoring frequency reduction approval. This license is identified at A.A.C. R18-4-403(E)(1).
- (jj) Nickel surface water monitoring frequency (annual) reduction approval. This license is identified at A.A.C. R18-4-403(E)(2).
- (2) Monitoring sample change approval. These licenses are authorized and required by A.R.S. § 49-353(A)(2) and A.A.C. R18-4-214 through R18-4-313. These licenses are not subject to sanctions because the Department does not collect fees from applicants for their issuance. These are Model E licenses because substantive review of non-uniform application components are required and a public hearing is not required. Application components are identified in rule as indicated below and require a Department-generated application form. Department experience is that approximately 2 months are required to process each of these licenses, or 42 business days. Table 8 breaks this up into 15 business days for administrative completeness review and 27 business days for substantive review.
- (a) Trihalomethane sample number reduction approval. This license is identified at A.A.C. R18-4-214(E).
- (b) Lead and copper tap water sampling number reduction approval. This license is identified at A.A.C. R18-4-310(E).
- (c) Lead and copper tap water sampling site number reduction approval. This license is identified at A.A.C. R18-4-313(J).
- (d) Lead and copper tap water sampling site number reduction approval. This license is identified at A.A.C. R18-4-313(M)(1).
- (e) Lead and copper tap water sampling site number reduction approval. This license is identified at A.A.C. R18-4-

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313(M)(2).

(f) Lead and copper tap water sampling site number reduction revision. This license is identified at A.A.C. R18-4-313(M)(2).

(3) Residual disinfectant concentration sampling interval approval. This license is authorized and required by A.R.S. § 49-353(A)(2) and governed by R18-4-303(B)(2)(a). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-303 and require a Department-generated application form. Table 8 shows 15 business days (approximately 3 weeks) for administrative completeness review and 15 business days for substantive review.

(4) Interim monitoring relief determination. This license is authorized and required by A.R.S. § 49-359(B)(3). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at A.R.S. § 49-359(B) and require a Department-generated application form. Table 8 shows 21 business days (approximately month) for administrative completeness review and 41 business days (approximately 2 months) for substantive review.

(5) Man-made radioactivity environmental surveillance substitution approval. This license is authorized and required by A.R.S. § 49-353(A)(2) and A.A.C. R18-4-217(H)(3)(d). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-217(H)(3)(d) and require a Department-generated application form. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 62 business days (approximately 3 months) for substantive review.

(6) Consecutive public water system monitoring requirements modification approval. This license is identified and required at A.R.S. § 49-353(A)(2) and governed by A.A.C. R18-4-113. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-113 and require a Department-generated application form and site inspection. As part of this application review process, the Department prepares a monitoring schedule that must be approved by EPA. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 84 business days (approximately 4 months) for substantive review.

(7) Trihalomethane source basis for sampling purposes approval. This license is identified and required at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-214(C). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-214 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 167 business days (approximately 8 months) for substantive review.

(8) Sodium multiple well sampling number reduction approval. This license is identified and required at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-402(B). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-402 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 167 business days (approximately 8 months) for substantive review.

(9) Turbidity monitoring frequency reduction approval. This license is identified and required at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-302(H). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-4-302 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 167 business days (approximately 8 months) for substantive review.

(10) Monitoring waiver approval. These licenses are authorized and required by A.R.S. § 49-353(A)(2) and A.A.C. R18-4-206 through R18-4-404. These licenses are not subject to sanctions because the Department collects no fees from applicants for their issuance. These are Model E licenses because substantive review of non-uniform application components are required and a public hearing is not required. Application components are identified in rule as indicated below and require a Department-generated application form. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 167 business days (approximately 8 months) for substantive review.

(a) Cyanide monitoring waiver approval. This license is identified at A.A.C. R18-4-206(L).

(b) Asbestos monitoring waiver approval. This license is identified at A.A.C. R18-4-207(L).

(c) Asbestos monitoring waiver renewal. This license is identified at A.A.C. R18-4-207(L)(2).

(d) Volatile organic compound (VOC) monitoring waiver approval. This license is identified at A.A.C. R18-4-212(E).

(e) Volatile organic compound (VOC) surface water monitoring use waiver approval. This license is identified at A.A.C.

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R18-4-212(K)(1).

(f) **Volatile organic compound (VOC) groundwater monitoring use waiver approval.** This license is identified at A.A.C. R18-4-212(K)(1).

(g) **Volatile organic compound (VOC) surface water monitoring susceptibility waiver approval.** This license is identified at A.A.C. R18-4-212(K)(2).

(h) **Volatile organic compound (VOC) groundwater monitoring susceptibility waiver approval.** This license is identified at A.A.C. R18-4-212(K)(2).

(i) **Volatile organic compound (VOC) surface water monitoring use waiver renewal approval.** This license is identified at A.A.C. R18-4-212(K)(4).

(j) **Volatile organic compound (VOC) groundwater monitoring use waiver renewal approval.** This license is identified at A.A.C. R18-4-212(K)(3).

(k) **Volatile organic compound (VOC) surface water monitoring susceptibility waiver renewal approval.** This license is identified at A.A.C. R18-4-212(K)(4).

(l) **Volatile organic compound (VOC) groundwater monitoring susceptibility waiver renewal approval.** This license is identified at A.A.C. R18-4-212(K)(3).

(m) **Synthetic organic compound (SOC) monitoring use waiver approval.** This license is identified at A.A.C. R18-4-216(M)(1).

(n) **Synthetic organic compound (SOC) monitoring susceptibility waiver approval.** This license is identified at A.A.C. R18-4-216(M)(2).

(o) **Radium-228 monitoring waiver approval.** This license is identified at A.A.C.

R18-4-217(E)(2).

Group II: Safe drinking water variance and exemption licenses.

(11) **Maximum contaminant level or treatment technique requirement variance with no public hearing.** This license as a maximum contaminant level (MCL) compliance variance is identified at A.R.S. § 49-353(A) and A.A.C. R18-4-110(A). This license as a treatment technique requirement variance is identified at R18-4-110(B). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components for both MCL compliance variances and treatment technique requirement variances are identified at R18-4-110(D) and require a Department-generated application form and site inspection. Certain review times are identified in rule. R18-4-110(G) provides that the Department shall make a proposed decision within 90 days of receipt of the application. The applicant water supplier then provides public notice and has an additional 30 days to submit additional information if the preliminary decision is to deny. The Department then makes a final decision within 30 days after receipt of the additional information. Based on these review times, Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 105 business days (approximately 5 months) for substantive review.

(12) **Maximum contaminant level or treatment technique requirement variance with a public hearing.** This is the same license identified in category 11 above when a public hearing is held on the Department's proposed decision (making it a Model F license). A.A.C. R18-4-110(H) provides for a hearing if a request is made within 30 days after public notice. If so, the hearing is held in accordance with R18-1-402. Accordingly, Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 187 business days (approximately 9 months) for substantive review.

(13) **Maximum contaminant level or treatment technique requirement exemption with no public hearing.**

This license as a maximum contaminant level (MCL) compliance exemption or a treatment technique requirement exemption is identified at A.R.S. § 49-353(A) and A.A.C. R18-4-111. This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components for both MCL compliance exemptions and treatment technique requirement exemptions are identified at R18-4-111(E)-(F) and require a Department-generated application form and site inspection. Certain review times are identified in rule. R18-4-111(H) provides that the Department shall make a proposed decision within 90 days of receipt of the application. The applicant water supplier then provides public notice and has an additional 30 days to submit additional information if the preliminary decision is to deny. The Department then makes a final decision within 30 days after receipt of the additional information. Based on these review times, Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 105 business days (approximately 5 months) for substantive review.

(14) **Maximum contaminant level or treatment technique requirement exemption with a public hearing.** This is the same license identified in category 13 above when a public hearing is held on the Department's proposed decision (making it a Model F license). A.A.C. R18-4-111 provides for a hearing if a request is made within 30 days after public notice. If so, the hearing is held in accordance with R18-1-402. Accordingly, Table 8 shows 21 business days (approximately 1 month) for administrative

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completeness review and 187 business days (approximately 9 months) for substantive review.

(15) Maximum contaminant level or treatment technique requirement compliance extension approval. This license is identified at A.R.S. § 49-353(A) and A.A.C. R18-4-111(C). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-111(E)-(F) and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 32 business days (approximately 45 calendar days) for substantive review.

(16) Maximum contaminant level or treatment technique requirement compliance additional extension approval. This license is identified at A.R.S. § 49-353(A) and A.A.C. R18-4-111(C)(4). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-111(E)-(F) and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 42 business days (approximately 2 months) for substantive review.

(17) Safe drinking water requirement exclusion approval. This license is identified at A.R.S. § 49-353(A) and A.A.C. R18-4-112(A). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-112(B) and require a Department-generated application form and site inspection. R18-4-112(C)(1) requires the Department to make a licensing decision within 90 days of application receipt. If the decision is an intent to deny, R18-4-112(C)(2) provides that the applicant has 30 days to submit additional information at which time a final licensing decision shall be made within 30 days of receiving the additional information. Based on these timeframes, Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 42 business days (approximately 2 months) for substantive review.

(18) Backflow-prevention assembly third-party certifying entity designation approval. This license is identified at A.R.S. § 49-353(A) and A.A.C. R18-4-115(D)(2). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-115 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 105 business days (approximately 5 months) for substantive review.

Group III: Safe drinking water treatment and monitoring plan licenses.

(19) Maximum contaminant level compliance blending plan approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-221(A). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-221 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 125 business days (approximately 6 months) for substantive review.

(20) Maximum contaminant level compliance blending plan change approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-221(B). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-221 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 125 business days (approximately 6 months) for substantive review.

(21) Maximum contaminant level compliance at subsequent downstream service connections monitoring plan approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-221(A)(2). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-221 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 125 business days (approximately 6 months) for substantive review.

(22) Point-of-entry treatment device monitoring plan approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-222(B)(1). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-222 and require a Department-generated application form and site inspection. Table 8 shows 15 business days (approximately 3 weeks) for administrative completeness review and 15 business days for substantive review.

(23) Point-of-entry treatment device design approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-222(B)(2). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-222 and require a Department-generated applica-

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tion form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 167 business days (approximately 8 months) for substantive review.

(24) Lead and copper source water treatment determination modification. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-313(N). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-313 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 167 business days (approximately 8 months) for substantive review.

(25) Lead and copper source water concentration determination modification. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-314(N) and is subject to time-frame requirements only if a water system is the applicant. This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-314 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 167 business days (approximately 8 months) for substantive review.

(26) Lead service line extent under system control determination. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-315(D). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-315 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 105 business days (approximately 5 months) for substantive review.

(27) Lead service line extent under system control rebuttable presumption determination. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-315(E). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-315 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 105 business days (approximately 5 months) for substantive review.

Group IV: Lead and copper corrosion control licenses.

(28) Lead and copper optimal corrosion control treatment approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-313(A). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-313 and require a Department-generated application form and site inspection. Table 8 shows 42 business days (approximately 2 months) for administrative completeness review and 502 business days (approximately 2 years) for substantive review.

(29) Large water system lead and copper corrosion control activities equivalency demonstration approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-306(B)(1). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-306 and require a Department-generated application form and site inspection. Table 8 shows 42 business days (approximately 2 months) for administrative completeness review and 502 business days (approximately 2 years) for substantive review.

(30) Small and medium water system lead and copper corrosion control activities equivalency demonstration approval. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-307(B)(2). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-307 and require a Department-generated application form and site inspection. Table 8 shows 21 business days (approximately 1 month) for administrative completeness review and 502 business days (approximately 2 years) for substantive review.

(31) Lead and copper optimal corrosion treatment determination modification. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-313(N). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-313 and require a Department-generated application form and site inspection. Table 8 shows 42 business days (approximately 2 months) for administrative completeness review and 376 business days (approximately 18 months) for substantive review.

(32) Lead and copper water quality control parameters determination modification. This license is identified at A.R.S. § 49-353(A) and governed by A.A.C. R18-4-313(N). This license is not subject to sanctions because the Department collects no fees from applicants for their issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-4-313 and require a Department-generated application form and site inspection. Table 8 shows 42 business days (approximately 2 months) for administrative completeness review and 376 business days (approximately 18 months) for substantive review.

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b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements for the reasons given below.

(1) Initial monitoring year designation. This license is identified at A.A.C. R18-4-101(44). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(2) Record keeping requirements. This license is identified at A.A.C. R18-4-103. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(3) Maximum contaminant level routine reporting. This license is identified at A.A.C. R18-4-104(A). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(4) Maximum contaminant level violation reporting. This license is identified at A.A.C. R18-4-104(B). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(5) Filtration reporting. This license is identified at A.A.C. R18-4-104(C). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(6) Disinfection reporting. This license is identified at A.A.C. R18-4-104(D). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(7) Lead and copper tap water reporting. This license is identified at A.A.C. R18-4-104(E). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(8) Lead and copper tap water monitoring R18-4-309(A)(1) sample pool failure justification. This license is identified at A.A.C. R18-4-104(E)(6). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(9) Lead and copper tap water monitoring R18-4-309(A)(2) sample pool failure justification. This license is identified at A.A.C. R18-4-104(E)(7). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(10) Lead and copper tap water monitoring R18-4-309(A)(4) site location failure justification. This license is identified at A.A.C. R18-4-104(E)(8). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(11) Water quality parameter reporting. This license is identified at A.A.C. R18-4-104(F). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(12) Lead and copper source water reporting. This license is identified at A.A.C. R18-4-104(G). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(13) Lead and copper service line replacement reporting. This license is identified at A.A.C. R18-4-104(H). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(14) Initial lead service line materials evaluation demonstration. This license is identified at A.A.C. R18-4-104(H)(1). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(15) Initial lead service line replacement demonstration. This license is identified at A.A.C. R18-4-104(H)(2)(a). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(16) Lead service line concentration sampling demonstration. This license is identified at A.A.C. R18-4-104(H)(2)(b). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

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(17) **Special monitoring reporting.** This license is identified at A.A.C. R18-4-104(I). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(18) **Cross connection incident reporting.** This license is identified at A.A.C. R18-4-104(K). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(19) **Emergency reporting.** This license is identified at A.A.C. R18-4-104(L). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(20) **Waterborne disease outbreak reporting.** This license is identified at A.A.C. R18-4-104(M). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(21) **Confirmation sample results reporting.** This license is identified at A.A.C. R18-4-104(N). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(22) **Public notice representative sample submittal.** This license is identified at A.A.C. R18-4-104(O). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(23) **Record and document copy submittal.** This license is identified at A.A.C. R18-4-104(P). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(24) **Completed analyses reporting.** This license is identified at A.A.C. R18-4-104(Q). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(25) **General public notification requirements.** This license is identified at A.A.C. R18-4-105. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(26) **Analytical methods requirements.** This license is identified at A.A.C. R18-4-106. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(27) **Alternative analytical method approval.** This license is identified at A.A.C. R18-4-106(B). This license is administered by the department of health services as identified at R9-14-607(B). As a result, it is not included in this proposed rule because it is not issued by the Department.

(28) **Laboratory requirements.** This license is identified at A.A.C. R18-4-107. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(29) **Sample collection, preservation, and transportation requirements.** This license is identified at A.A.C. R18-4-108. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(30) **Sample collection, preservation, and transportation approval.** This license is identified at A.A.C. R18-4-109. This license is administered by the department of health services. As a result, it is not included in this proposed rule because it is not issued by the Department.

(31) **Bottled water monitoring program approval.** This license is identified at A.A.C. R18-4-110(K)(1). This license is not subject to Article 7.1 licensing time-frames requirements because it represents compliance activity within the context of an initial license already issued by the Department.

(32) **Bottled water company approved source certification waiver.** This license is identified at A.A.C. R18-4-110(K)(2). This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(33) **Backflow prevention requirements.** This license is identified at A.A.C. R18-4-115. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(34) **Emergency operation plan requirements.** This license is identified at A.A.C. R18-4-116. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

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(35) Sanitary survey requirement determination. This license is identified at A.A.C. R18-4-118(A). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(36) Sanitary survey professional engineer or sanitarian approval. This license is identified at A.A.C. R18-4-118(D). This license is not subject to Article 7.1 licensing time-frames requirements because it represents contractual activity exempted by A.R.S. § 41-1006(16).

(37) Additives requirements. This license is identified at A.A.C. R18-4-119. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(38) Vending machine requirements. This license is identified at A.A.C. R18-4-123. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(39) Operation and maintenance requirements. This license is identified at A.A.C. R18-4-124. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(40) Hauled water requirements. This license is identified at A.A.C. R18-4-125. This is a Model A license because it is obtained through mere compliance with the rule by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(41) Asbestos sampling data consistency determination. This license is identified at A.A.C. R18-4-207(G). This license is not subject to Article 7.1 licensing time-frames requirements because it is no longer applicable due to passage of time.

(42) Man-made radioactivity monitoring frequency variance approval. This license is identified at A.A.C. R18-4-217(H)(4). This license is issued within other approvals and, therefore, not independently subject to Article 7.1 licensing time-frames requirements. In this case, it is issued within an 18 A.A.C. 4 Article 1 variance approval license.

(43) Man-made radioactivity monitoring frequency exemption approval. This license is identified at A.A.C. R18-4-217(H)(4). This license is issued within other approvals and, therefore, not independently subject to Article 7.1 licensing time-frames requirements. In this case, it is issued within an 18 A.A.C. 4 Article 1 variance approval license.

(44) Best available technology de minimis reduction assessment approval. This license is identified at A.A.C. R18-4-220(F). Issued within an Article 1 variance This license is issued within other approvals and, therefore, not independently subject to Article 7.1 licensing time-frames requirements. In this case, it is issued within an 18 A.A.C. 4 Article 1 variance approval license.

(45) Lead and copper corrosion control monitoring demonstration. This license is identified at A.A.C. R18-4-307(B)(2). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(46) Lead and copper corrosion control monitoring demonstration. This license is identified at A.A.C. R18-4-307(B)(3). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(47) Lead and copper corrosion control steps compliance submission. This license is identified at A.A.C. R18-4-307(C). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(48) Lead and copper inadequate number of Tier 1 sites materials survey explanation. This license is identified at A.A.C. R18-4-309(B)(2). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(49) Lead and copper inadequate number of sampling sites materials survey explanation. This license is identified at A.A.C. R18-4-309(B)(3). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(50) Small or medium system lead and copper optimal corrosion control treatment approval. This license is identified at A.A.C. R18-4-311(H). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(51) Small or medium system lead and copper optimal corrosion control treatment approval. This license is identified at A.A.C. R18-4-312(G). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

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(52) **Large system lead and copper optimal corrosion control treatment approval.** This license is identified at A.A.C. R18-4-312(G). This license is not subject to Article 7.1 licensing time-frames requirements because it is no longer applicable due to passage of time.

(53) **Lead and copper water quality control parameters determination.** This license is identified at A.A.C. R18-4-313(F). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(54) **Lead and copper water quality parameter point-of-entry pH value designation.** This license is identified at A.A.C. R18-4-313(F)(1). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(55) **Lead and copper water quality parameter pH level requirement determination.** This license is identified at A.A.C. R18-4-313(F)(2). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(56) **Lead and copper corrosion inhibitor concentration determination.** This license is identified at A.A.C. R18-4-313(F)(3). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(57) **Lead and copper alkalinity concentration determination.** This license is identified at A.A.C. R18-4-313(F)(4). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(58) **Lead and copper calcium concentration determination.** This license is identified at A.A.C. R18-4-313(F)(5). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(59) **Lead and copper other water quality parameters determination.** This license is identified at A.A.C. R18-4-313(F)(6). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(60) **Lead and copper source water treatment approval.** This license is identified at A.A.C. R18-4-314(E), R18-4-314(G). This license is issued within other approvals and, therefore, not independently subject to Article 7.1 licensing time-frames requirements. In this case, it is issued within an 18 A.A.C. 4 Article 5 approval to construct.

(61) **Lead and copper source water treatment installation and operation approval.** This license is identified at A.A.C. R18-4-314(J). This license is not subject to Article 7.1 licensing time-frames requirements because it is issued at the initiative of the Department and not in response to applications submitted by prospective licensees.

(62) **Lead materials survey and annual replacement schedule compliance determination.** This license is identified at A.A.C. R18-4-315(H)(1). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(63) **Lead materials survey and annual replacement schedule compliance determination.** This license is identified at A.A.C. R18-4-315(H)(2). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

(64) **Lead public education compliance demonstration.** This license is identified at A.A.C. R18-4-316(G). This is a Model B license because it is obtained through notification to the Department by the licensee. This means that this license is not subject to Article 7.1 licensing time-frames requirements because it is not issued by the Department.

9) Table 9: Drinking Water and Wastewater Operator Licenses

The Department issues the following operator licenses which are subject to licensing time-frame requirements as part of the Department's implementation of the state's safe drinking water program and wastewater collection and treatment program in accordance with A.R.S. §§ 49-352 and 49-361 and administered by the Department's Water Protection Approvals and Permits Section of the Water Quality Division. The following numbered license categories appear on Table 9 with the same corresponding numbers shown here in parentheses. The arrangement of Table 9 is presented as follows.

Group I: Drinking water operator licenses.

- Drinking water treatment or distribution facility operator new certification (1).
- Drinking water treatment or distribution facility operator renewal certification (2).
- Drinking water treatment or distribution facility operator reciprocity certification (3).
- Drinking water treatment or distribution facility operator certification without examination (4).

Group II: Wastewater operator licenses.

- Wastewater treatment or collection facility operator new certification (6).
- Wastewater treatment or collection facility operator renewal certification (7).
- Wastewater treatment or collection system operator reciprocity certification (8).

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Wastewater treatment or collection system operator certification without examination (9).

Group I: Drinking water operator licenses.

(1) Drinking water treatment or distribution facility operator new certification. This license is authorized and identified at A.R.S. § 49-352 and A.A.C. R18-5-105. This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form, the availability of test space and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license with 105 business days (approximately 5 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame. Department experience is that substantive review usually takes only a few days of Department time. Substantive review, however, requires evaluation of a written examination, an application component. Examinations are held 4 times a year with the application deadline set on the first day of the month prior to each application. In each examination month, examination sessions are repeated on three successive Saturdays with applicants having the choice of which Saturday they will attend. Once the examination is taken, a Department licensing decision usually occurs within 1 week. This means that total application review time will vary depending upon when in the examination cycle the application is received. The time shown for the administrative completeness review time-frame takes this into account.

(2) Drinking water treatment or distribution facility operator renewal certification. This license is authorized and identified at A.R.S. § 49-352 and A.A.C. R18-5-107 and R18-5-108(D). This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license with 42 business days (approximately 2 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame.

(3) Drinking water treatment or distribution facility operator reciprocity certification. This license is authorized and identified at A.R.S. § 49-352 and A.A.C. R18-5-110(A). This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license category with 42 business days (approximately 2 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame.

(4) Drinking water treatment or distribution facility operator certification without examination. This license is authorized and identified at A.R.S. § 49-352 and A.A.C. R18-5-111. This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license with 42 business days (approximately 2 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame.

Group II: Wastewater operator licenses.

(5) Wastewater treatment or collection facility operator new certification. This license is authorized and identified at A.R.S. § 49-361 and A.A.C. R18-5-105. This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form, the availability of test space and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license with 105 business days (approximately 5 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame. Department experience is that substantive review usually takes only a few days of Department time. Substantive review, however, requires evaluation of a written examination, an application component. Examinations are held 4 times a year with the application deadline set on the first day of the month prior to each application. In each examination month, examination sessions are repeated on three successive Saturdays with applicants having the choice of which Saturday they will attend. Once the examination is taken, a Department licensing decision usually occurs within 1 week. This means that total application review time will vary depending upon when in the examination cycle the application is received. The time shown for the administrative completeness review time-frame takes this into account.

(6) Wastewater treatment or collection facility operator renewal certification. This license is authorized and identified at A.R.S. § 49-361 and A.A.C. R18-5-107 and R18-5-108(D). This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license with 42 business days (approximately 2 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame.

(7) Wastewater treatment or collection system operator reciprocity certification. This license is authorized and identified at A.R.S. § 49-361 and A.A.C. R18-5-110(A). This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license with 42 business days (approximately 2 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame.

(8) Wastewater treatment or collection system operator certification without examination. This license is authorized and identified at A.R.S. § 49-361 and A.A.C. R18-5-111. This license is not subject to sanctions because fees charged for application review are deposited in the state general fund. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-5-101 through R18-5-115 and require a Department-generated application form and an initial fee. Application review fees are identified at R18-5-113. Table 9 shows this license with 42 business days (approximately 2 months) for the administrative completeness review time-frame and 10 business days (approximately 2 weeks) for the substantive review time-frame.

10) Table 10: Water Quality Licenses

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the Department's implementation of the state's water quality standards (WQS) and aquifer protection program (APP) in accordance with A.R.S. §§ 49-221 through 49-265 and administered by the Department's Water Permits Section of the Water Quality Division. The following numbered license categories appear on Table 10 with the same corresponding numbers shown here in parentheses. The license categories are divided first into 5 groups representing the major permit classifications identified in R18-14-101 through R18-14-108; second, into the new, major modification, and other modification categories also identified in R18-14-101 through R18-14-108; third, into applications requiring or not requiring a public hearing; and fourth, into standard and complex categories. The resulting arrangement of license categories on Table 10 is as follows:

Group I: Wastewater treatment facility individual aquifer protection (AP) licenses.

Standard wastewater treatment facility AP new permit without/with a public hearing (1-2).
Complex wastewater treatment facility AP new permit without/with a public hearing (3-4).
Standard wastewater treatment facility AP major modification permit without/with a public hearing (5-6).
Complex wastewater treatment facility AP major modification permit without/with a public hearing (7-8).
Standard/complex wastewater treatment facility AP other modification permit (9-10).
Wastewater treatment facility AP permit transfer approval (11).
Wastewater treatment facility AP closure plan approval (12).
Standard/complex wastewater treatment facility AP post-closure plan approval (13-14).
Wastewater treatment facility AP voluntary environmental mitigation use restriction (VEMUR) approval (15).
Wastewater treatment facility AP VEMUR cancellation approval (16).

Group II: Wastewater treatment facility (with recharge component) individual aquifer protection (AP) licenses.

Standard wastewater treatment facility (with recharge component) AP new permit without/with a public hearing (17-18).
Complex wastewater treatment facility (with recharge component) AP new permit without/with a public hearing (19-20).
Standard wastewater treatment facility (with recharge component) AP major modification permit without/with a public hearing (21-22).
Complex wastewater treatment facility (with recharge component) AP major modification permit without/with a public hearing (23-24).
Standard/complex wastewater treatment facility (with recharge component) AP other modification permit (25-26).

Group III: Small BADCT wastewater treatment facility (with designs less than 250,000 gpd) individual discharging aquifer protection (AP) licenses.

Standard small BADCT wastewater treatment facility AP new permit without/with a public hearing (27-28).
Complex small BADCT wastewater treatment facility AP new permit without/with a public hearing (29-30).
Standard small BADCT wastewater treatment facility AP major modification permit without/with a public hearing (31-32).
Complex small BADCT wastewater treatment facility AP major modification permit without/with a public hearing (33-34).
Standard/complex small BADCT wastewater treatment facility AP other modification permit (35-36).
Small BADCT wastewater treatment facility AP permit transfer approval (37).
Small BADCT wastewater treatment facility AP closure plan approval (38).
Standard/complex small BADCT wastewater treatment facility AP post-closure plan approval (39-40).
Small BADCT wastewater treatment facility AP VEMUR approval (41).
Small BADCT wastewater treatment facility AP VEMUR cancellation approval (42).

Group IV: Industrial facility individual discharging aquifer protection (AP) licenses.

Standard industrial facility AP new permit without/with a public hearing (43-44).
Complex industrial facility AP new permit without/with a public hearing (45-46).
Standard industrial facility AP major modification permit without/with a public hearing (47-48).
Complex industrial facility AP major modification permit without/with a public hearing (49-50).
Standard/complex industrial facility AP other modification permit (51-52).

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Industrial facility AP permit transfer approval (53).
Industrial facility AP closure plan approval (54).
Standard/complex industrial facility AP post-closure plan approval (55-56).
Industrial facility AP VEMUR approval (57).
Industrial facility AP VEMUR cancellation approval (58).

Group V: Mine facility individual discharging aquifer protection (AP) licenses.
Standard mine facility AP new permit without/with a public hearing (59-60).
Complex mine facility AP new permit without/with a public hearing (61-62).
Standard mine facility AP major modification permit without/with a public hearing (63-64).
Complex mine facility AP major modification permit without/with a public hearing (65-66).
Standard/complex mine facility AP other modification permit (67-68).
Mine facility AP permit transfer approval (69).
Mine facility AP closure plan approval (70).
Standard/complex mine facility AP post-closure plan approval (71-72).
Mine facility AP VEMUR approval (73).
Mine facility AP VEMUR cancellation approval (74).

Group VI: Other discharging facility individual discharging aquifer protection (AP) licenses.
Standard other discharging facility AP new permit without/with a public hearing (75-76).
Complex other discharging facility AP new permit without/with a public hearing (77-78).
Standard other discharging facility AP major modification permit without/with a public hearing (79-80).
Complex other discharging facility AP major modification permit without/with a public hearing (81-82).
Standard/complex other discharging facility AP other modification permit (83-84).
Other discharging facility AP permit transfer approval (85).
Other discharging facility AP closure plan approval (86).
Standard/complex other discharging facility AP post-closure plan approval (87-88).
Other discharging facility AP VEMUR approval (89).
Other discharging facility AP VEMUR cancellation approval (90).

Group VII: Reclaimed wastewater reuse licenses.
Standard reclaimed wastewater reuse new permit without/with a public hearing (91-92).
Complex reclaimed wastewater reuse new permit without/with a public hearing (93-94).
Standard reclaimed wastewater reuse major modification permit without/with a public hearing (95-96).
Complex reclaimed wastewater reuse major modification permit without/with a public hearing (97-98).
Standard/complex reclaimed wastewater reuse other modification permit (99-100).
Reclaimed wastewater reuse permit transfer approval (101).

Group VIII: Noneffluent groundwater recharge licenses.
Standard/complex noneffluent groundwater recharge approval (102-103).
Noneffluent groundwater recharge pilot project time extension approval (104).

Group IX: Facility registration licenses.
Dry well registration (105).
Significant industrial user registration (106).

Group X: Pesticide contamination prevention licenses.
New pesticide approval (107).
Active ingredient or pesticide criticality determination (108).
Pesticide addition to or deletion from groundwater protection list approval (109).

Although appearing complicated, this structure follows that of the statute and rules as well as Department experience and staffing allocation. Further, this structure responds directly to the requirement at A.R.S. § 41-1073(C) that an agency shall consider certain factors when adopting time-frames including the complexity of the licensing subject matter (reflected in the "standard/complex" category differentiation), agency resources (reflected in setting time-frames responsive to current and expected Department resource levels), and the economic impact of delay on the regulated community (reflected in splitting categories into "standard/complex" and "with/without a public hearing" with differing times so as not to submit all applicants to the longest reasonably required time-frame necessary to review the more complicated applications).

The Department anticipates that AP permit applications will be accepted in the first instance as falling within a standard category with no public hearing. The Department would then transfer the application to other categories later as appropriate using its authority under draft rule R18-1-516 to make such transfers. If a decision is made to hold a public hearing, the decision to do so would transfer the application to the corresponding category providing for a public hearing. In addition, at any time during the review process, the Department may transfer the application from a standard to its corresponding complex category if it determines that substituted application components or public comment presents complex, novel or highly technical issues requiring additional review time.

The standard categories identified below all reflect the review times now in rule converted to business days. In each case, the categories are divided to provide review times either with or without a public hearing when either result is a possibility under the

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application category. Further, a corresponding complex category is identified for each standard category in turn. Department experience is that not all AP applications result in a request to hold a public hearing. Setting a single time in rule for all applications would require that the time-frames always anticipate a public hearing, meaning longer times for all applicants. The spirit of Article 7.1 strongly suggests that a shorter time be set for applicants not required to have a hearing. This especially makes sense here because current review times in rule for these licenses already provide shorter periods if a hearing is not held. Department experience concerning complex applications is that not applications impose the same demand on Department resources. Some applications require several times the Department's resources as do others. For example, some wastewater APP applications may contain licensing requests for 2 or 3 discharges rather than just one; a mine APP application may have 20 permitable discharges.

Applications in process at the time this rule goes into effect will not be subject to Article 7.1 licensing time-frames in accordance with R18-1-502(A)(12). Existing sources subject to the APP program were split into several groups with each group being "called" each year to submit applications. The last "call" is scheduled for calendar year 1999 with about 40 sources subject to the call. The Department is considering subjecting the 1999 call to this rule because the rule is expected to go into effect on January 1, 1999. An alternative approach would be to exclude them under the "compliance activity by licensees" exclusion at R18-1-502(B)(9). In addition, the Department expects to offer opt-in agreements in accordance with R18-1-513 for applications still in process as of that date. Department experience has been that applications for these existing sources usually take more time than applications for new sources. For these reasons, the Department is considering establishing a separate group of AP licenses only for the 1999 call plus opt-ins. If so, the Department believes the time-frames for this group should be set to match the times set for the "complex" categories below. The Department solicits comment on all aspects of this approach.

Group I: Wastewater treatment facility individual discharging aquifer protection (AP) licenses. These AP licenses are described as a separate group because the Department reviews them within the APP wastewater unit and this group of licenses is described separately at R18-14-101 through R18-14-108. Department experience with wastewater AP licenses for the last fiscal year (1996-97) is that it reached licensing decisions on 33 applications with 131 applications pending at the end of the year. This includes with and without recharge components and small best available demonstrated technology (BADCT) facility (Groups I, II and III) wastewater AP licenses.

(1) Standard wastewater treatment facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. No application review times are specified in statute but certain review times are in rule at R18-9-107: 30 calendar days for administrative completeness, an additional 20 calendar days of administrative completeness if the Department issues a notice that the application is incomplete, 90 calendar days after administrative completeness to issue a proposed permit or denial with time suspended if the Department issues a notice of technical deficiencies, 30 calendar days after the decision to publish public notice of the decision, 30 additional calendar days for a public comment period, 45 calendar days after publication to decide whether to hold a public hearing and, if no hearing is held, 30 calendar days after the close of the comment period to make a final licensing decision, except that the Department may extend the period an additional 90 calendar days if it determines that additional information is needed to make the decision. Absent suspensions, this represents 50 calendar days for administrative completeness and 270 calendar days for substantive review. This converts to 35 business days for administrative completeness review and 186 business days for substantive review. These times appear as the Article 7.1 time-frames in Table 10.

(2) Standard wastewater treatment facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Certain review times are in rule at R18-9-107: Same times as the preceding license except that if the Department decides to hold a public hearing, 75 calendar days after publication to begin the hearing, 7 calendar days after the close of the hearing to close the hearing record, 45 calendar days after the close of the hearing record to make a final licensing decision, except that the Department may extend the period an additional 90 calendar days if it determines that additional information is needed to make the decision. Absent suspensions, this represents 50 calendar days for administrative completeness and 270 calendar days for substantive review. This converts to 35 business days for administrative completeness review and 232 business days for substantive review if the public hearing lasts only 1 day. These times appear as the Article 7.1 time-frames in Table 10.

(3) Complex wastewater treatment facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-

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14-101 through R18-14-108. In addition to the times described in the standard category of this license (category 1 above), a complex application may take an additional 2 months of Department resources to determine a proposed permit and may take an additional 1 month to respond to public comments. These additional 3 months convert to 63 business days. This increases the Article 7.1 time-frames shown on Table 10 to 35 business days for administrative completeness review and 249 business days for substantive review.

(4) Complex wastewater treatment facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. In addition to the times described in the standard category of this license (category 2 above), a complex application may take an additional 1 month to hold the hearing if adjournments are required and an additional 2 months to respond to public comments. These additional 3 months convert to 63 business days. This increases the Article 7.1 time-frames shown on Table 10 to 35 business days for administrative completeness review and 295 business days for substantive review.

(5) Standard wastewater treatment facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(6) Standard wastewater treatment facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit are required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 2 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(7) Complex wastewater treatment facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(8) Complex wastewater treatment facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 4 above, Table 10 shows 37 business days for administrative completeness review and 295 business days for substantive review.

(9) Standard wastewater treatment facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(10) Complex wastewater treatment facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through

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R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(11) Wastewater treatment facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. No application review times are specified in statute or rule. Table 10 shows administrative completeness review as 21 business days (approximately 1 month) and substantive review as 32 business days (approximately 45 calendar days).

(12) Wastewater treatment facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Certain application review times are specified in rule. The Department must approve or reject a closure plan within 60 calendar days after receipt of a complete application submission. No administrative completeness review is identified. Table 10 shows administrative completeness review as 21 business days (approximately 1 month) and substantive review as 41 business days (approximately 60 calendar days).

(13) Standard wastewater treatment facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Certain application review times are specified in rule. The Department must approve or reject a post-closure plan within 60 calendar days after receipt of a complete application submission. No administrative completeness review is identified. Table 10 shows administrative completeness review as 21 business days (approximately 1 month) and substantive review as 41 business days (approximately 60 calendar days).

(14) Complex wastewater treatment facility AP post-closure plan approval. Table 10 shows this category based on category 13 above with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review time-frame.

(15) Wastewater treatment facility AP voluntary environmental mitigation use restriction (VEMUR) approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. No application review times are specified in statute or rule. A.R.S. § 49-152(C)(2) does require that the Department make a licensing decision on VEMUR cancellation request within 60 calendar days. That same time is used here but increased to 62 business days (approximately 3 months) to include activities not required in a cancellation request such as review of zoning. Table 10 shows these 62 business days divided between the administrative completeness review time-frame (15 business days or approximately 3 weeks) and the substantive review time-frame (the remainder).

(16) Wastewater treatment facility AP VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. A.R.S. § 49-152(C)(2) requires the Department to make a licensing decision within 60 calendar days after the date of application. No other review times are specified. The 60 calendar days converts to approximately 42 business days. Table 10 shows these 42 business days divided into 15 business days for the administrative completeness review time-frame (approximately 3 weeks) and 27 business days for the substantive review time-frame (the remainder).

Group II: Wastewater treatment facility (with recharge component) individual aquifer protection (AP) licenses.

(17) Standard wastewater treatment facility (with recharge component) AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are

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identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(18) Standard wastewater treatment facility (with recharge component) AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 2 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(19) Complex wastewater treatment facility (with recharge component) AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(20) Complex wastewater treatment facility (with recharge component) AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 4 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(21) Standard wastewater treatment facility (with recharge component) AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 5 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(22) Standard wastewater treatment facility (with recharge component) AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 6 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(23) Complex wastewater treatment facility (with recharge component) AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 7 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(24) Complex wastewater treatment facility (with recharge component) AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance,

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those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 8 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(25) Standard wastewater treatment facility (with recharge component) AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 9 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(26) Complex wastewater treatment facility (with recharge component) AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 10 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

Group III: Small BADCT wastewater treatment facility (with designs less than 250,000 gpd) individual discharging aquifer protection (AP) licenses. The Department offers these categories with reduced review time for small wastewater treatment facilities with designs less than 250,000 gpd based on best available demonstrated control technology (BADCT).

(27) Standard small BADCT wastewater treatment facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 145 business days for substantive review.

(28) Standard small BADCT wastewater treatment facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 2 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 191 business days for substantive review.

(29) Complex small BADCT wastewater treatment facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 208 business days for substantive review.

(30) Complex small BADCT wastewater treatment facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial

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fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 4 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 254 business days for substantive review.

(31) Standard small BADCT wastewater treatment facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 5 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 145 business days for substantive review.

(32) Standard small BADCT wastewater treatment facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 6 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 191 business days for substantive review.

(33) Complex small BADCT wastewater treatment facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 7 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 208 business days for substantive review.

(34) Complex small BADCT wastewater treatment facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 8 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 254 business days for substantive review.

(35) Standard small BADCT wastewater treatment facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 9 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the small facilities, Table 10 shows 35 business days for administrative completeness review and 145 business days for substantive review.

(36) Complex small BADCT wastewater treatment facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 10 above and taking into account that the Department requires 60 less calendar days (41 less business days) to complete the substantive review on the

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small facilities, Table 10 shows 35 business days for administrative completeness review and 208 business days for substantive review.

(37) Small BADCT wastewater treatment facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. Following the analysis and discussion under license category 11 above, Table 10 shows 21 business days for administrative completeness review and 32 business days for substantive review.

(38) Small BADCT wastewater treatment facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 12 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(39) Standard small BADCT wastewater treatment facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 13 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(40) Complex small BADCT wastewater treatment facility AP post-closure plan approval. Table 10 shows this category with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review time-frame.

(41) Small BADCT wastewater treatment facility AP VEMUR approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 15 above, Table 10 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(42) Small BADCT wastewater treatment facility AP VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified at R18-7-206(B) and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 16 above, Table 10 shows 15 business days for administrative completeness review and 27 business days for substantive review.

Group IV: Industrial facility individual discharging aquifer protection (AP) licenses. These AP licenses are described as a separate group because the Department reviews them within the APP industrial unit and this group of licenses is described separately at A.C.C. R18-14-101 through R18-14-108. Discussion of the AP licenses listed under Group I (wastewater treatment facility individual discharging aquifer protection licenses) above applies here as well. Department experience with industrial AP licenses for the last fiscal year (1996-97) is that it reached licensing decisions on 21 applications with 106 applications pending at the end of the year.

(43) Standard industrial facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(44) Standard industrial facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application

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requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 2 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(45) Complex industrial facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(46) Complex industrial facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 4 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(47) Standard industrial facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 5 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(48) Standard industrial facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 6 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(49) Complex industrial facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 7 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(50) Complex industrial facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 8 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(51) Standard industrial facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 9 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

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(52) Complex industrial facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 10 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(53) Industrial facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. Following the analysis and discussion under license category 11 above, Table 10 shows 21 business days for administrative completeness review and 32 business days for substantive review.

(54) Industrial facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 12 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(55) Standard industrial facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 13 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(56) Complex industrial facility AP post-closure plan approval. Table 10 shows this category with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review timeframe.

(57) Industrial facility AP voluntary environmental mitigation use restriction (VEMUR) request approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 15 above, Table 10 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(58) Industrial facility AP VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 16 above, Table 10 shows 15 business days for administrative completeness review and 27 business days for substantive review.

Group V: Mine facility individual discharging aquifer protection (AP) licenses. These AP licenses are described as a separate group because the Department reviews them within the APP wastewater unit and this group of licenses is described separately at A.C.C. R18-9-101 through R18-9-108. Discussion of the AP licenses listed under Group I (wastewater treatment facility individual discharging aquifer protection licenses) above applies here as well. Department experience with mine AP licenses for the last fiscal year (1996-97) is that it reached licensing decisions on 9 applications with 38 applications pending at the end of the year.

(59) Standard mine facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above, Table 10 shows 35 business days

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for administrative completeness review and 186 business days for substantive review.

(60) Standard mine facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 2 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(61) Complex mine facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above, Table 10 shows 37 business days for administrative completeness review and 249 business days for substantive review.

(62) Complex mine facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 4 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(63) Standard mine facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 5 above, Table 5 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(64) Standard mine facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 6 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(65) Complex mine facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 7 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(66) Complex mine facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 8 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(67) Standard mine facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required

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and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 9 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(68) Complex mine facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 10 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(69) Mine facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. Following the analysis and discussion under license category 11 above, Table 10 shows 21 business days for administrative completeness review and 32 business days for substantive review.

(70) Mine facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 12 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(71) Standard mine facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 13 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(72) Complex mine facility AP post-closure plan approval. Table 10 shows this category with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review time-frame.

(73) Mine facility AP voluntary environmental mitigation use restriction (VEMUR) approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 15 above, Table 10 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(74) Mine facility AP VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 16 above, Table 10 shows 15 business days for administrative completeness review and 27 business days for substantive review.

Group VI: Other discharging facility individual discharging AP licenses. These AP licenses are described as a separate group because this group of licenses is described separately at A.C.C. R18-14-101 through R18-14-108. Discussion of the AP licenses listed under Group I (wastewater treatment facility individual discharging aquifer protection (AP) licenses) above applies here as well.

(75) Standard other discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through

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R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(76) Standard other discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 2 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(77) Complex other discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(78) Complex other discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 4 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(79) Standard other discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 5 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(80) Standard other discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 6 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(81) Complex other discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 7 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(82) Complex other discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 8 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(83) Standard other discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the

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Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 9 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(84) Complex other discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 10 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(85) Other discharging facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. Following the analysis and discussion under license category 11 above, Table 10 shows 21 business days for administrative completeness review and 32 business days for substantive review.

(86) Other discharging facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 12 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(87) Standard other discharging facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 13 above, Table 10 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(88) Complex other discharging facility AP post-closure plan approval. Table 10 shows this category with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review time-frame.

(89) Other discharging facility AP voluntary environmental mitigation use restriction (VEMUR) approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified in statute at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 15 above, Table 10 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(90) Other discharging facility AP VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 16 above, Table 10 shows 15 business days for administrative completeness review and 27 business days for substantive review.

Group VII: Reclaimed wastewater reuse licenses. These wastewater reuse licenses are described as a separate group because this group of licenses is described separately at A.C.C. R18-9-701 through R18-9-707. Discussion of the AP licenses listed under Group I (wastewater treatment facility individual discharging aquifer protection licenses) above applies here as well.

(91) Standard reclaimed wastewater reuse new permit with no public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the

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Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 1 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(92) Standard reclaimed wastewater reuse new permit with a public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 2 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(93) Complex reclaimed wastewater reuse new permit with no public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 3 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(94) Complex reclaimed wastewater reuse new permit with a public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 4 above, Table 10 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(95) Standard reclaimed wastewater reuse major modification permit with no public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 5 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(96) Standard reclaimed wastewater reuse major modification permit with a public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 6 above, Table 10 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(97) Complex reclaimed wastewater reuse major modification permit with no public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 7 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(98) Complex reclaimed wastewater reuse major modification permit with a public hearing. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 8 above, Table 10 shows 35 business

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days for administrative completeness review and 295 business days for substantive review.

(99) Standard reclaimed wastewater reuse other modification permit. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 9 above, Table 10 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(100) Complex reclaimed wastewater reuse other modification permit. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-705 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under license category 10 above, Table 10 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(101) Reclaimed wastewater reuse permit transfer approval. This license is authorized and required by A.R.S. § 49-250(B) and governed by A.C.C. R18-9-701 through R18-9-707. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. Following the analysis and discussion under license category 11 above, Table 10 shows 21 business days for administrative completeness review and 32 business days for substantive review.

Group VIII: Noneffluent groundwater recharge licenses.

(102) Standard noneffluent groundwater recharge approval. This license is authorized and required by A.R.S. § 45-811.01(C)(5). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 45-811.01(C)(5). Table 10 shows 35 business days for administrative completeness review and 70 business days for substantive review.

(103) Complex noneffluent groundwater recharge approval. This license is authorized and required by A.R.S. § 45-811.01(C)(5). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 45-811.01(C)(5). Table 10 shows 35 business days for administrative completeness review and 112 business days for substantive review.

(104) Noneffluent groundwater recharge pilot project time extension approval. This license is authorized and required by A.R.S. § 49-241 and governed by A.A.C. R18-9-127(B). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-9-127(B). Table 10 shows 10 business days for administrative completeness review and 10 business days for substantive review.

Group IX: Facility registration licenses.

(105) Dry well registration. This license is authorized and required by A.R.S. § 49-332. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model C license because application components are uniform and the Department does not conduct substantive review of the application components. Application components include a Department-generated application form and an initial fee. The fee is identified at A.A.C. R18-14-103(B)(1). Table 10 shows 21 business days (approximately 1 month) for administrative completeness review and 0 business days for substantive review.

(106) Significant industrial user registration. This license is authorized and required by A.R.S. § 49-209. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model C license because application components are uniform and the Department does not conduct substantive review of the application components. Application components include a Department-generated application form and an initial fee. The fee is identified at A.A.C. R18-14-103(B)(2). Table 10 shows 21 business days (approximately 1 month) for administrative completeness review and 0 business days for substantive review.

Group X: Pesticide contamination prevention licenses.

(107) New pesticide approval. This license is authorized and required by A.R.S. § 49-302(F) and governed by A.A.C. R18-6-102(B). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-6-102 and R18-6-106. Table 10 shows 62 business days (approx-

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mately 3 months) for administrative completeness review and 124 business days (approximately 6 months) for substantive review.

(108) Active ingredient or pesticide criticality determination. This license is authorized and required by A.R.S. § 49-302(F) and governed by A.A.C. R18-6-102(B). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-6-102. Table 10 shows 21 business days (approximately 1 month) for administrative completeness review and 41 business days (approximately 2 months) for substantive review.

(109) Pesticide addition to or deletion from groundwater protection list approval. This license is authorized and required by A.R.S. § 49-305(A) and governed by A.A.C. R18-6-105(D). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-6-105. Table 10 shows 21 business days (approximately 1 month) for administrative completeness review and 41 business days (approximately 2 months) for substantive review.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements for the reasons given below.

(1) AP permit applicability determination. This determination is authorized at A.R.S. § 49-241 through 49-251 and governed by A.A.C. R18-9-106. This determination is not subject to time-frame requirements because it may not actually involve the Department issuing a license to a prospective licensee. A determination by itself that an applicant, in fact, requires or does not require an AP permit probably will not change the applicant's essential rights, duties and privileges under Arizona law.

(2) Transfer of owner or operator of a facility notice. This notice is required under A.A.C. R18-9-103(F). This license is a model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

(3) Temporary cessation notice. This notice is required under A.A.C. R18-9-104(A). This license is a model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

(4) Intent to cease operations notice. This notice is required under A.A.C. R18-9-104(C). This license is a model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

11) Table 11: Surface Water Licenses

The Department issues the following licenses which are subject to licensing time-frame requirements as part of the state's surface water quality program in accordance with A.R.S. § 49-202 and administered by the Department's Surface Water Quality Section of the Water Quality Division. Licensing under these categories is subject to time-frame requirements. The numbered license categories appear on Table 11 with the same corresponding numbers in parentheses. The arrangement of licenses categories on Table 11 is as follows:

Clean Water Act (CWA) § 401 certification licenses.

CWA § 401 state certification of a proposed CWA § 402 NPDES permit (1).

CWA § 401 state certification of a proposed CWA § 404 permit (2).

CWA § 401 state certification of a proposed nonpoint source activity for a federal permit (3).

(1) CWA § 401 state certification of a proposed CWA § 402 NPDES permit. This license is authorized and required by A.R.S. § 49-202. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-202 and require a Department-generated application form, public notice of the underlying proposed permit, and a U.S. Army Corp of Engineers notice of proposed decision. Table 11 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 42 business days (approximately 2 months) for the substantive review time-frame.

(2) CWA § 401 state certification of a proposed CWA § 404 permit. This license is authorized and required by A.R.S. § 49-202. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-202 and 33 U.S.C. § 1341(a) and require a Department-generated application form, public notice of the underlying proposed permit, and a U.S. Army Corp of Engineers notice of proposed decision. Table 11 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 209 business days (approximately 2 months) for the substantive review time-frame.

(3) CWA § 401 state certification of a proposed nonpoint source activity for a federal permit. This license is authorized and required by A.R.S. § 49-202. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is

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required and a public hearing is not required. Application components are identified at A.R.S. § 49-202 and require a Department-generated application form. Table 11 shows 5 business days for the administrative completeness review time-frame and 32 business days (approximately 45 calendar days) for the substantive review time-frame.

12) Table 12: Solid Waste Licenses

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the state's solid waste management program in accordance with A.R.S. §§ 49-701 through 49-881 and administered by the Department's Solid Waste Section of the Waste Programs Division. The following numbered license categories appear on Table 12 with the same corresponding numbers in parentheses. The arrangement of licenses categories on Table 12 is as follows.

Group I: Solid waste variance licenses.

Rule or standard variance request approval (1).

Group II: Land application of biosolids licenses.

Biosolid applicator registration request acknowledgment (2).

Group III: Nonlandfill solid waste facility individual discharging aquifer protection (AP) licenses.

Standard nonlandfill solid waste discharging facility AP new permit without/with a public hearing (3-4).

Complex nonlandfill solid waste discharging facility AP new permit without/with a public hearing (5-6).

Standard nonlandfill solid waste discharging facility AP major modification permit without/with a public hearing (7-8).

Complex nonlandfill solid waste discharging facility AP major modification permit without/with a public hearing (9-10).

Standard nonlandfill solid waste discharging facility AP other modification permit (11).

Complex nonlandfill solid waste discharging facility AP other modification permit (12).

Nonlandfill solid waste discharging facility AP permit transfer approval (13).

Nonlandfill solid waste discharging facility AP closure plan approval (14).

Standard/complex nonlandfill solid waste discharging facility AP post-closure plan approval (15-16).

Nonlandfill solid waste voluntary environmental mitigation use restriction (VEMUR) approval (17).

Nonlandfill solid waste VEMUR cancellation approval (18).

Group I: Solid waste variance licenses.

(1) Rule or standard variance request approval. This license is authorized and required by A.R.S. §§ 49-763.01. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-8-1122(B) and R18-13-510 and require a Department-generated application form. The application review time is identified in statute as 90 calendar days. Table 12 converts this to 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

Group II. Land application of biosolids licenses.

(2) Biosolid applicator registration request acknowledgment. This license is governed by A.C.C. R18-13-1504(A). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model C license because substantive review of application components is not required and a public hearing is not required. Application components are identified in rule at R18-13-1504(C) and require a Department-generated application form. The application review time is identified at R18-12-1504(E) as 15 calendar days. Table 12 converts this to 11 business days for administrative completeness review and 0 business days for substantive review.

Group III: Nonlandfill solid waste facility individual discharging aquifer protection (AP) licenses. These AP licenses are described here as a separate group from those in Table 10 above because they are administered by the solid waste program. Discussion of the AP licenses listed under Group I (wastewater facilities) in Table 10 above, however, applies here as well.

(3) Standard nonlandfill solid waste discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 1 above, Table 12 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(4) Standard nonlandfill solid waste discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license cat-

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egory 2 above, Table 12 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(5) Complex nonlandfill solid waste discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 3 above, Table 12 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(6) Complex nonlandfill solid waste discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 4 above, Table 12 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(7) Standard nonlandfill solid waste discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 5 above, Table 12 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(8) Standard nonlandfill solid waste discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 6 above, Table 12 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(9) Complex nonlandfill solid waste discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 7 above, Table 12 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(10) Complex nonlandfill solid waste discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 8 above, Table 12 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(11) Standard nonlandfill solid waste discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified

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at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 9 above, Table 12 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(12) Complex nonlandfill solid waste discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 10 above, Table 12 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(13) Nonlandfill solid waste discharging facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 11 above, Table 12 shows 21 business days for administrative completeness review and 32 business days for substantive review.

(14) Nonlandfill solid waste discharging facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 12 above, Table 12 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(15) Standard nonlandfill solid waste discharging facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 13 above, Table 12 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(16) Complex nonlandfill solid waste discharging facility AP post-closure plan approval. Table 12 shows this category based on category 15 above but with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review time-frame.

(17) Nonlandfill solid waste voluntary environmental mitigation use restriction (VEMUR) approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 15 above, Table 12 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(18) Nonlandfill solid waste voluntary environmental mitigation use restriction (VEMUR) cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 16 above, Table 12 shows 15 business days for administrative completeness review and 27 business days for substantive review.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements for the reasons given below.

(1) Solid waste definition exemption. This license is authorized and identified at A.R.S. § 49-701.01. This license accrues by notifying the Director of some proposed activity. In other words, it is a notice (Model B) license that does not require the Department to issue the license. Therefore, this license is not subject to Article 7.1 requirements.

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(2) Septage hauler license. This license is authorized and identified at A.R.S. § 49-104(B)(14) and governed by A.A.C. R18-8-613. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-8-614. Several counties act as the Department's agent in accepting applications for this license and perform a certain amount of administrative review. Some counties charge a fee; some do not. When submitted by counties, review time begins only upon submission. The Department has determined that this license is not subject to Article 7.1 requirements because it is issued within 7 days after receipt of the initial application in accordance with A.R.S. § 41-1073(D).

13) Table 13: Special Waste Licenses

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the state's special waste management program in accordance with A.R.S. §§ 49-701 through 49-881 and 49-851 through 49-868 and administered by the Department's Solid Waste Section of the Waste Programs Division. The following numbered license categories appear on Table 13 with the same corresponding numbers in parentheses. The arrangement of license categories on Table 13 is as follows.

Group I: Special waste identification number licenses.

Special waste generator identification number (1).

Special waste shipper identification number (2).

Special waste receiving facility identification number (3).

Group II: Special waste licenses.

Waste from shredding motor vehicles alternative sampling plan approval (4).

Special waste temporary treatment facility approval (5).

Group III: Special waste facility plan licenses.

Standard/complex existing special waste facility plan approval (6-7).

Standard new special waste facility plan approval without/with a public hearing (8-9).

Complex new special waste facility plan approval without/with a public hearing (10-11).

New special waste facility operation temporary authorization (12).

Group IV: Special waste facility amendment licenses.

Special waste facility plan type III substantial change (13).

Special waste facility plan type IV substantial change without/with a public hearing (14-15).

Group V: Special waste facility individual discharging aquifer protection (AP) licenses.

Standard special waste discharging facility AP new permit without/with a public hearing (16-17).

Complex special waste discharging facility AP new permit without/with a public hearing (18-19).

Standard special waste discharging facility AP major modification permit without/with a public hearing (20-21).

Complex special waste discharging facility AP major modification permit without/with a public hearing (22-23).

Standard/complex special waste discharging facility AP other modification permit (24-25).

Special waste discharging facility AP permit transfer approval (26).

Special waste discharging facility AP closure plan approval (27).

Standard/complex special waste discharging facility AP post-closure plan approval (28-29).

Special waste discharging facility AP voluntary environmental mitigation use restriction (VEMUR) approval (30).

Special waste discharging facility AP VEMUR cancellation approval (31).

Group I: Special waste identification number licenses.

(1) Special waste generator identification number. This license is authorized and identified at A.R.S. §§ 49-762 and 49-857 and is governed by A.A.C. R18-8-302(A). This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-8-302(A) and require a Department-generated application form. Review time in rule is 60 calendar days. This represents approximately 42 business days. Table 13 shows these 42 business days divided into 15 business days (approximately 3 weeks) for the administrative completeness review time-frame and 27 business days (the remainder) for the substantive review time-frame.

(2) Special waste shipper identification number. Table 13 shows the times for this category the same as for Category 1 above. Application components are identified at R18-8-303(A).

(3) Special waste receiving facility identification number. Table 13 shows the times for this category the same as for Category 1 above. Application components are identified at R18-8-304(A).

Group II: Special waste licenses.

(4) Waste from shredding motor vehicles alternative sampling plan approval. This license is authorized and identified at A.R.S. §§ 49-762 and 49-857 and is governed by A.A.C. R18-8-307(A). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-8-307(A) and require an initial fee.

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Table 13 shows 5 business days (approximately 7 calendar days) for the administrative completeness review time-frame and 5 business days for the substantive review time-frame.

(5) Special waste temporary treatment facility approval. This license is authorized and identified at A.R.S. §§ 49-762 and 49-857 and is governed by A.A.C. R18-8-1610. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-8-1607 and R18-13-403 and require an initial fee. Table 13 shows 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

Group III: Special waste facility plan licenses. The Department's solid waste section administers this group of licenses governing special waste facilities that handle auto shredder fluff or petroleum contaminated soil. The application components for the auto shredder fluff licenses are identified at R18-8-307. The application components for the petroleum contaminated soil licenses are identified at R18-8-1601 through R18-8-1614.

(6) Standard existing special waste facility plan approval. This license is authorized and identified at A.R.S. § 49-762.03(A)(2). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-8-307 and R18-8-1601 through R18-8-1614 and include a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. A.R.S. § 49-762.04 identifies certain application review times: 30 calendar days for administrative completeness review plus another 15 calendar days if the Department issues a notice of administrative deficiencies and a licensing decision within 180 calendar days after administrative completeness. Table 13 shows 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 124 business days (approximately 180 calendar days) for the substantive review time-frame.

(7) Complex existing special waste facility plan approval. Table 13 shows this category based on category 6 above but with substantive review increased from 124 business days to 165 business days. This represents approximately 8 months (180 calendar days plus 2 months) for the entire substantive review time-frame.

(8) Standard new special waste facility plan approval with no public hearing. This license is authorized and identified at A.R.S. § 49-762.03(A)(1). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-8-307 and R18-8-1601 through R18-8-1614 and include a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. A.R.S. § 49-762.04 identifies certain application review times: 30 calendar days for administrative completeness review plus another 15 calendar days if the Department issues a notice of administrative deficiencies and a licensing decision within 90 calendar days after administrative completeness. Table 13 shows 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

(9) Standard new special waste facility plan approval with a public hearing. This license is authorized and identified at A.R.S. § 49-762.03(A)(1). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified at R18-8-307 and R18-8-1601 through R18-8-1614 and include a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. A.R.S. § 49-762.04 identifies certain application review times: 30 calendar days for administrative completeness review plus another 15 calendar days if the Department issues a notice of administrative deficiencies, a proposed licensing decision within 90 calendar days after administrative completeness, the holding of a public hearing within 45 calendar days after the proposed decision, issuance of a notice of technical deficiencies, if issued, within 30 calendar days after the hearing, and issuance of the final decision within 15 calendar days after receipt of applicant's response to the deficiency notice. Table 13 shows 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 124 business days (approximately 180 calendar days) for the substantive review time-frame. This represents the calendar times in statute assuming 1 day for the public hearing and 1 day for the applicant to respond to the deficiency notice.

(10) Complex new special waste facility plan approval with no public hearing. A complex application may take approximately 60 calendar days of review time in addition to the majority of applications in the standard category (Category 8). Table 13 shows this category with substantive review increased from 62 business days to 103 business days. This represents approximately 5 months (90 calendar days plus 60 calendar days) for the entire substantive review time-frame.

(11) Complex new special waste facility plan approval with a public hearing. A complex application may take approximately 60 calendar days of review time in addition to the majority of applications in the standard category (Category 9). Table 13 shows this category with substantive review increased from 124 business days to 165 business days. This represents approximately 8 months (180 calendar days plus 60 calendar days) for the entire substantive review time-frame.

(12) New special waste facility operation temporary authorization. This license is authorized and identified at A.R.S. § 49-762.03. This license is not subject to sanctions because no application review fees are required. This is a Model E license

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because substantive review of non-uniform application components and a public hearing is not required. Application components are identified in statute at A.R.S. § 49-762.03(C) and require site inspection. Table 13 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

Group IV: Special waste facility amendment licenses. The Department's solid waste section administers this group of licenses governing special waste facilities that handle auto shredder fluff or petroleum contaminated soil. The application components for the auto shredder fluff licenses are identified at R18-8-307. The application components for the petroleum contaminated soil licenses are identified at R18-8-1601 through R18-8-1614

(13) Special waste facility plan type III substantial change. This license is authorized and identified at A.R.S. § 49-762.06(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components and no public hearing is required. Application components are identified at R18-8-307 and R18-8-1601 through R18-8-1614 and include a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. Table 13 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(14) Special waste facility plan type IV substantial change with no public hearing. This license is authorized and identified at A.R.S. § 49-762.06(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-8-307 and R18-8-1601 through R18-8-1614 and include a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. Table 13 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(15) Special waste facility plan type IV substantial change with a public hearing. This license is authorized and identified at A.R.S. § 49-762.06(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing are required. Application components are identified at R18-8-307 and R18-8-1601 through R18-8-1614 and include a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. Table 13 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

Group V: Special waste facility individual discharging aquifer protection (AP) licenses. These AP licenses are described here as a separate group from those in Tables 10 and 12 above because they are administered by the special waste program. Discussion of the AP licenses listed under Group I (wastewater facilities) in Table 10 above, however, applies here as well.

(16) Standard special waste discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 1 above, Table 13 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(17) Standard special waste discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 2 above, Table 13 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(18) Complex special waste discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 3 above, Table 13 shows 35 business days for administrative completeness review and 249 business days for substantive review.

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(19) Complex special waste discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 4 above, Table 13 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(20) Standard special waste discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 5 above, Table 13 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(21) Standard special waste discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 6 above, Table 13 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(22) Complex special waste discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 7 above, Table 13 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(23) Complex special waste discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 8 above, Table 13 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(24) Standard special waste discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 9 above, Table 13 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(25) Complex special waste discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and R18-9-120 through R18-9-121 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 10 above, Table 13 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(26) Special waste discharging facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application

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requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 11 above, Table 13 shows 21 business days for administrative completeness review and 32 business days for substantive review.

(27) Special waste discharging facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 12 above, Table 13 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(28) Standard special waste discharging facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 13 above, Table 13 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(29) Complex special waste discharging facility AP post-closure plan approval. Table 13 shows this category based on category 28 above with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review time-frame.

(30) Special waste discharging facility AP voluntary environmental mitigation use restriction (VEMUR) approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 5, license category 15 above, Table 13 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(31) Special waste discharging facility AP VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 16 above, Table 13 shows 15 business days for administrative completeness review and 27 business days for substantive review.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following license is not subject to Article 7.1 time-frame requirements for the reasons given below.

(1) Special waste facility plan type II change. This license is authorized and identified at A.R.S. § 49-762.06(C). This license is a Model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

14) Table 14: Landfill Licenses

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the state's landfill management program in accordance with A.R.S. §§ 49-701 through 49-881 and administered by the Department's Solid Waste Section of the Waste Programs Division. The following numbered license categories appear on Table 14 with the same corresponding numbers in parentheses. The arrangement of licenses categories on Table 14 is as follows.

Group I: Solid waste landfill facility plan licenses.

Standard existing landfill facility plan approval (1).

Complex existing landfill facility plan approval with a public hearing (2).

Standard new landfill facility plan approval without/with a public hearing (3-4).

Complex new landfill facility plan approval without/with a public hearing (5-6).

New landfill operation temporary authorization (7).

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Group II: Solid waste landfill facility amendment licenses.

Solid waste facility plan type III substantial change (landfill) (8).

Solid waste facility plan type IV substantial change (landfill) without/with a public hearing (9-10).

Group III: Solid waste landfill facility individual discharging aquifer protection (AP) licenses.

Standard landfill discharging facility AP new permit without/with a public hearing (11-12).

Complex landfill discharging facility AP new permit without/with a public hearing (13-14).

Standard landfill discharging facility AP major modification permit without/with a public hearing (15-16).

Complex landfill discharging facility AP major modification permit without/with a public hearing (17-18).

Standard/complex discharging facility AP other notification permit (19-20).

Landfill discharging facility AP permit transfer approval (21).

Landfill discharging facility AP permit closure plan approval (22).

Standard/complex discharging facility AP post-closure plan approval (23-24).

Group I: Solid waste landfill facility plan licenses. Currently, the Department's solid waste section administers this group of licenses governing municipal and non-municipal solid waste landfill facilities. The application components for the municipal solid waste landfill licenses are identified at A.R.S. § 49-761(B) which incorporates by reference 40 CFR Part 258. The application components for the non-municipal solid waste landfill licenses are identified at A.R.S. § 49-762.07(E) which incorporates by reference 40 CFR Part 257.

(1) Standard existing landfill facility plan approval. This license is authorized and identified at A.R.S. § 49-761(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. §§ 49-761(B) and 49-762.07(E) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. A.R.S. § 49-762.04 identifies certain application review times: 30 calendar days for administrative completeness review plus another 15 calendar days if the Department issues a notice of administrative deficiencies and a licensing decision within 180 calendar days after administrative completeness. Table 14 shows 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 124 business days (approximately 180 calendar days) for the substantive review time-frame.

(2) Complex existing landfill facility plan approval with a public hearing. Table 14 shows this category based on Category 1 above with substantive review increased from 124 business days to 165 business days. This represents approximately 8 months (180 calendar days plus 2 months) for the entire substantive review time-frame.

(3) Standard new landfill facility plan approval with no public hearing. This license is authorized and identified at A.R.S. § 49-761(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. §§ 49-761(B) and 49-762.07(E) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. A.R.S. § 49-762.04 identifies certain application review times: 30 calendar days for administrative completeness review plus another 15 calendar days if the Department issues a notice of administrative deficiencies and a licensing decision within 90 calendar days after administrative completeness. Table 14 shows 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

(4) Standard new landfill facility plan approval with a public hearing. This license is authorized and identified at A.R.S. § 49-761(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified at A.R.S. §§ 49-761(B) and 49-762.07(E) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. A.R.S. § 49-762.04 identifies certain application review times: 30 calendar days for administrative completeness review plus another 15 calendar days if the Department issues a notice of administrative deficiencies, a proposed licensing decision within 90 calendar days after administrative completeness, the holding of a public hearing within 45 calendar days after the proposed decision, issuance of a notice of technical deficiencies, if issued, within 30 calendar days after the hearing, and issuance of the final decision within 15 calendar days after receipt of applicant's response to the deficiency notice. Table 14 shows 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 124 business days (approximately 180 calendar days) for the substantive review time-frame. This represents the calendar times in statute assuming 1 day for the public hearing and 1 day for the applicant to respond to the deficiency notice.

(5) Complex new landfill facility plan approval with no public hearing. A complex application may take approximately 60 calendar days of review time in addition to the majority of applications in the standard category (Category 3). Table 14 shows this category with substantive review increased from 62 business days to 103 business days. This represents approximately 5 months (90 calendar days plus 60 calendar days) for the entire substantive review time-frame.

(6) Complex new landfill facility plan approval with a public hearing. A complex application may take approximately 60 calendar days of review time in addition to the majority of applications in the standard category (Category 4). Table 14 shows this category with substantive review increased from 124 business days to 165 business days. This represents approximately 8

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months (180 calendar days plus 60 calendar days) for the entire substantive review time-frame.

(7) New landfill operation temporary authorization. This license is authorized and identified at A.R.S. § 49-762.03(C). This license is not subject to sanctions because no application review fees are required. This is a Model E license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in statute at A.R.S. § 49-762.03(C) and require site inspection. Table 14 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

Group II: Solid waste landfill facility amendment licenses. Currently, the Department's solid waste section administers this group of licenses governing municipal and non-municipal solid waste landfill facilities. The application components for the municipal solid waste landfill amendment licenses are identified at A.R.S. § 49-761(B) which incorporates by reference 40 CFR Part 258. The application components for the non-municipal solid waste landfill amendment licenses are identified at A.R.S. § 49-762.07(E) which incorporates by reference 40 CFR Part 257.

(8) Solid waste facility plan type III substantial change (landfill). This license is authorized and identified at A.R.S. § 49-762.06(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components and no public hearing is required. Application components are identified at A.R.S. §§ 49-761(B) and 49-762.07(E) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. Table 14 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(9) Solid waste facility plan type IV substantial change (landfill) with no public hearing. This license is authorized and identified at A.R.S. § 49-762.06(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components and no public hearing is required. Application components are identified at A.R.S. §§ 49-761(B) and 49-762.07(E) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. Table 14 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 41 business days (approximately 60 calendar days) for the substantive review time-frame.

(10) Solid waste facility plan type IV substantial change (landfill) with a public hearing. This license is authorized and identified at A.R.S. § 49-762.06(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified at A.R.S. §§ 49-761(B) and 49-762.07(E) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-13-701 through R18-13-703. Table 14 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

Group III: Solid waste landfill facility individual discharging aquifer protection (AP) licenses. These AP licenses are described here as a separate group from those in Table 10 above because they are administered by the solid waste landfill program. Discussion of the AP licenses listed under Group I (wastewater facilities) in Table 10 above, however, applies here as well.

(11) Standard landfill discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 1 above, Table 14 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(12) Standard landfill discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 2 above, Table 14 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(13) Complex landfill discharging facility AP new permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application com-

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ponents is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 3 above, Table 14 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(14) Complex landfill discharging facility AP new permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 4 above, Table 14 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(15) Standard landfill discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 5 above, Table 14 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(16) Standard landfill discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 6 above, Table 14 shows 35 business days for administrative completeness review and 232 business days for substantive review.

(17) Complex landfill discharging facility AP major modification permit with no public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 7 above, Table 14 shows 35 business days for administrative completeness review and 249 business days for substantive review.

(18) Complex landfill discharging facility AP major modification permit with a public hearing. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing after issuance of a proposed permit is required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 8 above, Table 14 shows 35 business days for administrative completeness review and 295 business days for substantive review.

(19) Standard landfill discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 9 above, Table 14 shows 35 business days for administrative completeness review and 186 business days for substantive review.

(20) Complex landfill discharging facility AP other modification permit. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-107 through R18-9-109 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 10 above, Table 14 shows 35 business days for administrative completeness review and 249 business days for substantive review.

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ness days for administrative completeness review and 249 business days for substantive review.

(21) Landfill discharging facility AP permit transfer approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-121(E) and require a Department-generated application form and an initial fee. Following the analysis and discussion under Table 10, license category 11 above, Table 14 shows 21 business days for administrative completeness review and 32 business days for substantive review.

(22) Landfill discharging facility AP closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 12 above, Table 14 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(23) Standard landfill discharging facility AP post-closure plan approval. This license is authorized and required by A.R.S. §§ 49-241 through 49-251 and governed by A.C.C. R18-9-101 through R18-9-130. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into an Department fund, and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-9-116 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 13 above, Table 14 shows 21 business days for administrative completeness review and 41 business days for substantive review.

(24) Complex landfill discharging facility AP post-closure plan approval. Table 14 shows this category based on Category 23 above with substantive review increased from 41 business days to 125 business days. This represents approximately 6 months for the substantive review time-frame.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements for the reasons given below.

(1) Landfill registration. This license is authorized and identified at A.R.S. § 49-747(A). This license is a Model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

(2) Solid waste landfill facility plan type II change (MSWLF) determination. This license is authorized and identified at A.R.S. § 49-762.06(C). This license is a Model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

(3) Solid waste landfill facility plan type II change (non-MSWLF) determination. This license is authorized and identified at A.R.S. § 49-762.06(C). This license is a Model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

15) Table 15: Medical Waste Licenses.

This table is reserved.

16) Table 16: Waste Tire, Lead Acid Battery and Used Oil Licenses

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the Department's implementation of the state's recycling program. The following numbered license categories appear on Table 16 with the same corresponding numbers shown in parentheses. The arrangement of licenses categories on this Table is as follows.

Group I: Waste tire licenses.

Waste tire collection site registration (1).

Mining off-road waste tire collection facility license (2).

Group II: Lead acid battery licenses.

Lead battery collection or recycling facility authorization (3).

Group III: Used oil licenses.

Used oil collection center registration number (4).

Group I: Waste tire licenses.

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(1) **Waste tire collection site registration.** This license is authorized and identified at A.R.S. § 44-1303. This license is not subject to sanctions because the Department collects no fees for the review of applications. This license is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified at R18-8-302(A) and required a Department-generated application form. Table 16 shows this category with 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 21 business days (approximately 30 calendar days) for the substantive review time-frame.

(2) **Mining off-road waste tire collection facility license.** This license is authorized and identified at A.R.S. § 44-1304 and governed by A.A.C. R18-8-511 and R18-8-706. This license is not subject to sanctions because the Department collects no fees for the review of applications. This license is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified A.R.S. § 44-1304. Table 16 shows this category with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

Group II: Lead acid battery licenses.

(3) **Lead battery collection or recycling facility authorization.** This license is authorized and identified at A.R.S. § 44-1322(C). This license is not subject to sanctions because the Department collects no fees for the review of applications. This license is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in statute at A.R.S. § 49-857.01(A) and require a Department-generated application form. Table 16 shows this category with 32 business days (approximately 45 calendar days) for the administrative completeness review time-frame and 62 business days (approximately 90 calendar days) for the substantive review time-frame.

Group III: Used oil licenses.

(4) **Used oil collection center registration number.** This license is authorized and identified at A.R.S. § 49-802(C)(1). This license is not subject to sanctions because the Department collects no fees for the review of applications. This license is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-802(C)(1). Table 16 shows this category with 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 21 business days (approximately 30 calendar days) for the substantive review time-frame.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements because they are issued within 7 days after receipt of the initial application in accordance with A.R.S. § 41-1073(D).

(1) **Mining off-road waste tire burial notice.** This license is authorized and identified at A.R.S. § 44-1304 and governed by A.A.C. R18-8-702(B).

(2) **Used oil processor and re-refiner identification number.** This license is authorized and identified at A.R.S. § 49-802(A).

(3) **Used oil burner identification number.** This license is authorized and identified at A.R.S. § 49-802(A).

(4) **Used oil marketer identification number.** This license is authorized and identified at A.R.S. § 49-802(A).

(5) **Used oil transporter identification number.** This license is authorized and identified at A.R.S. § 49-802(A).

17) Table 17: Hazardous Waste Licenses.

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the department's implementation of the state's hazardous waste disposal and management programs in accordance with A.R.S. §§ 49-901 through 49-932 and administered by the Department's Hazardous Waste Section of the Waste Programs Division. The following numbered license categories appear on Table 17 with the same corresponding numbers shown in parentheses. The arrangement of licenses categories on this Table is as follows.

Group I: RCRA new and renewal licenses.

Hazardous waste container or tank permit without/with a public hearing (1-2).

Hazardous waste surface impoundment permit without/with a public hearing (3-4).

Hazardous waste pile permit without/with a public hearing (5-6).

Hazardous waste incinerator or burning boiler and industrial furnace permit without/with a public hearing (7-8).

Hazardous waste land treatment permit without/with a public hearing (9-10).

Hazardous waste landfill facility permit without/with a public hearing (11-12).

Hazardous waste miscellaneous unit permit without/with a public hearing (13-14).

Hazardous waste drip pad permit without/with a public hearing (15-16).

Hazardous waste emergency permit (17).

Hazardous waste land treatment demonstration using field test or laboratory analysis permit (18).

Hazardous waste research, development, and demonstration permit (19).

Hazardous waste temporary authorization request approval (20).

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Group II: RCRA modification licenses.

Hazardous waste permit transfer approval (21).
Hazardous waste Class I permit modification (22).
Hazardous waste Class 2 permit modification (23).
Hazardous waste Class 3 incinerator, burning boiler and industrial furnace, or landfill permit modification (24).
Hazardous waste Class 3 other permit modification (25).
Hazardous waste permit modification classification request (26).

Group III: Hazardous waste closure plan licenses.

Hazardous waste interim status facility partial closure plan approval (27).
Hazardous waste interim status facility final closure plan approval (28).
Hazardous waste post-closure permit without/with a public hearing (29-30).

Group IV: Hazardous waste voluntary environmental mitigation use restriction (VEMUR) licenses.

Hazardous waste facility VEMUR approval (31).
Hazardous waste facility VEMUR cancellation approval (32).

The following list compares the substantive review time-frames (SRTF) in this draft rule for the main hazardous waste license categories. These times are for applications not requiring a public hearing. Add 2 months for a public hearing to these categories for those that must hold a public hearing if one is requested. Administrative completeness review is 4 months for all permits except as noted otherwise.

SRTF = 4 months.

Emergency permit (2 weeks for administrative completeness).
Temporary authorization.

SRTF = 4½ months.

Partial closure plan approval.
Final closure plan approval.

SRTF = 6 months.

Permit transfer.
Class 1 modification.
Modification classification.

SRTF = 12 months (1 year).

Container only permit.
Tank only permit.

SRTF = 18 months.

Surface impoundment permit.
Pile permit.
Land treatment permit.
Miscellaneous unit permit.
Drip pad permit.
Land treatment demonstration using field test or laboratory analysis.
Research, development, and demonstration permit.
Class 2 modification.
Class 3 other modification.
Post-closure plan approval.

SRTF = 24 months (2 years).

Incinerator permit.
Burning boiler and industrial furnace (BIF) permit.
Landfill facility.
Class 3 incinerator, BIF, or landfill modification.

Group I: Resource Conservation and Recovery Act (RCRA) new and renewal licenses. The following 20 RCRA-related state hazardous waste management license categories reflect those identified in 40 C.F.R. Subparts B (§§ 270.10 through 270.29) and F (§§ 270.62 through 270.67).

(1) Hazardous waste container or tank permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and A.A.C. R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.16 and 270.27 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). This category includes facilities characterized as conducting storage operations. Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 251 business days (approximately 1 year) for the substantive review time-frame.

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(2) Hazardous waste container or tank only permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.16 and 270.27 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). This category includes facilities characterized as conducting storage operations. Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 293 business days (approximately 14 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category 1 above not requiring a public hearing. This category is available for applications for containers or tanks only. Applications for a container or tank that also contain other hazardous waste permitable items described in other categories below must be processed in those other categories.

(3) Hazardous waste surface impoundment permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14, 270.17 and 270.27 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(4) Hazardous waste surface impoundment permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14, 270.17 and 270.27 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 418 business days (approximately 20 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category 3 above not requiring a public hearing.

(5) Hazardous waste pile permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.18 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(6) Hazardous waste pile permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.18 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 418 business days (approximately 20 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category 5 above not requiring a public hearing.

(7) Hazardous waste incinerator or burning boiler and industrial furnace (BIF) permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14, 270.19, 270.22, 262.62 and 270.66 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 502 business days (approximately 2 years) for the substantive review time-frame.

(8) Hazardous waste incinerator or burning boiler and industrial furnace (BIF) permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14, 270.19, 270.22, 262.62, and 270.66 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 544 business days (approximately 26 months) for the substantive review time-frame.

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This is an increase of approximately 2 months over the companion category 7 above not requiring a public hearing.

(9) Hazardous waste land treatment permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.20 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(10) Hazardous waste land treatment permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.20 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 418 business days (approximately 20 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category 9 above not requiring a public hearing.

(11) Hazardous waste landfill facility permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.21 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 502 business days (approximately 2 years) for the substantive review time-frame.

(12) Hazardous waste landfill facility permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.21 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 544 business days (approximately 26 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category 11 above not requiring a public hearing.

(13) Hazardous waste miscellaneous unit permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.23 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). This category includes facilities characterized as conducting recycling operations. Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(14) Hazardous waste miscellaneous unit permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.23 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). This category includes facilities characterized as conducting recycling operations. Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 418 business days (approximately 20 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category 13 above not requiring a public hearing.

(15) Hazardous waste drip pad permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.26 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days

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(approximately 18 months) for the substantive review time-frame.

(16) Hazardous waste drip pad permit with a public hearing. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified in rule at 40 C.F.R. §§ 270.10 through 270.14 and 270.26 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 418 business days (approximately 20 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category 15 above not requiring a public hearing.

(17) Hazardous waste emergency permit. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.61 as incorporated by R18-8-270 and require a Department-generated application form and site inspection. Table 17 shows 10 business days (approximately 2 weeks) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame. Department experience is limited for this category in that only two applications have been received. The federal rules provide the ability for applicants to make oral requests and receive oral authorizations. The oral license grant is then followed up with a written after-the-fact "application" by the applicant. The Department has determined that oral grants made in the absence of a written application results in a license not subject to Article 7.1 time-frame requirements. This is because Article 7.1 requires that a time-frame does not start until a written application has been received. Here, the written application is not received until after the license has been granted. For this reason, the Department believes that the Article cannot apply to such licensing activities. The category described here, therefore, would apply only to licensing activity when a written application is received by the Department prior to making a licensing decision.

(18) Hazardous waste land treatment demonstration using field test or laboratory analysis permit. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.63 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(19) Hazardous waste research, development, and demonstration permit. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270(Q). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.65 as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(20) Hazardous waste temporary authorization request approval. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.42(e) as incorporated by R18-8-270 and require a Department-generated form and site inspection. Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame.

Group II: Resource Conservation and Recovery Act (RCRA) modification licenses. The following 6 RCRA permits reflect those identified in 40 C.F.R. Subpart D (§§ 270.40 through 270.43).

(21) Hazardous waste permit transfer approval. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.40 as incorporated by R18-8-270 and require a Department-generated application form and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 125 business days (approximately 6 months) for the substantive review time-frame.

(22) Hazardous waste Class 1 permit modification. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are

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identified in rule at 40 C.F.R. § 270.42(a) as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 125 business days (approximately 6 months) for the substantive review time-frame. Under RCRA, applicants for a Class 1 permit modification can request the Department to process the application as if it were a Class 2 permit modification. In regards to licensing time-frame requirements, the Department expects to handle such requests by processing them within the appropriate Class 2 category below.

(23) Hazardous waste Class 2 permit modification. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.42(b) as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame. Under RCRA, applicants for a Class 2 permit modification can request the Department to process the application as if it were a Class 3 permit modification. In regards to licensing time-frame requirements, the Department expects to handle such requests by processing them within the appropriate Class 3 category below.

(24) Hazardous waste Class 3 incinerator, BIF, or landfill permit modification. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.42(c) as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 502 business days (approximately 2 years) for the substantive review time-frame.

(25) Hazardous waste Class 3 other permit modification. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.42(c) as incorporated by R18-8-270 and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(26) Hazardous waste permit modification classification request. This license is authorized and identified at A.R.S. § 49-922 and R18-8-270. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at 40 C.F.R. § 270.42(d) as incorporated by R18-8-270 and require a Department-generated application form and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 125 business days (approximately 6 months) for the substantive review time-frame.

Group III: Hazardous waste closure plan licenses.

(27) Hazardous waste interim status facility partial closure plan approval. This license is authorized and identified at A.R.S. § 49-922. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at 40 C.F.R. §§ 264 Subpart G and 265 Subpart G and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 95 business days (approximately 4½ months) for the substantive review time-frame.

(28) Hazardous waste interim status facility final closure plan approval. This license is authorized and identified at A.R.S. § 49-922. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at 40 C.F.R. §§ 264 Subpart G and 265 Subpart G and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 95 business days (approximately 4½ months) for the substantive review time-frame.

(29) Hazardous waste post-closure permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are

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identified at 40 C.F.R. § 270.1(c) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 376 business days (approximately 18 months) for the substantive review time-frame.

(30) Hazardous waste post-closure permit with no public hearing. This license is authorized and identified at A.R.S. § 49-922. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components and a public hearing is required. Application components are identified at 40 C.F.R. § 270.1(c) and require a Department-generated application form, site inspection and an initial fee. The fee is identified at R18-8-270(G). Table 17 shows 84 business days (approximately 4 months) for the administrative completeness review time-frame and 418 business days (approximately 20 months) for the substantive review time-frame. This is an increase of approximately 2 months over the companion category not requiring a public hearing.

Group IV: Hazardous waste voluntary environmental mitigation use restriction (VEMUR) licenses.

(31) Hazardous waste facility VEMUR approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 15 above, Table 17 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(32) Hazardous waste facility VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified in statute at R18-7-207 and require a Department-generated application form and an initial fee. The fee is identified at R18-14-101 through R18-14-108. Following the analysis and discussion under Table 10, license category 16 above, Table 17 shows 15 business days for administrative completeness review and 27 business days for substantive review.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements for the reasons given below.

(1) EPA identification number assignment. This license is authorized and identified at A.R.S. § 49-922. Application components are identified in rule at A.A.C. R18-8-262(D), R18-8-263(B), R18-8-264(C), R18-8-265(C), and R18-8-273. These rules, in turn, reference 40 C.F.R. §§ 260.10, 262.12, 263.11, 264.11, 265.11, 273.32, 279.42, 279.51, 279.62, and 279.73 and EPA 8700-12. This license is a Model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

18) Table 18: Underground Storage Tank Licenses.

a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following licenses as part of the state's underground storage tank (UST) regulation and leaking UST (LUST) state assurance fund (SAF) programs in accordance with A.R.S. §§ 49-1001 through 49-1082 and administered by the Department's UST Section of the Waste Programs Division (for UST and LUST) and Office of Fiscal Services of the Deputy Director's Office (for SAF). The following numbered license categories appear on Table 18 with the same corresponding numbers shown in parentheses. The arrangement of license categories on this Table is as follows.

Group I: Underground storage tank (UST) technical requirement licenses.

UST temporary closure extension request approval (1).

Group II: UST service provider licenses.

UST installation and retrofit service provider certification (2).

UST tightness testing service provider certification (3).

UST cathodic protection testing service provider certification (4).

UST decommissioning service provider certification (5).

UST interior lining service provider certification (6).

Group III: Leaking UST (LUST) licenses.

Standard LUST corrective action plan (CAP) approval without/with a public hearing (7-8).

Complex LUST CAP approval without/with a public hearing (9-10).

LUST voluntary environmental mitigation use restriction (VEMUR) approval (11).

LUST VEMUR cancellation approval (12).

Group IV: State assurance fund (SAF) licenses.

SAF firm pre-qualification approval (13).

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SAF pre-approval approval (14).
SAF direct payment approval (15).
Standard/complex SAF reimbursement approval (16-17).

Group I: Underground storage tank (UST) technical requirement licenses.

(1) UST temporary closure extension request approval. This license is authorized and required by A.R.S. § 49-1008 and governed by R18-12-270. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. (See discussion of license processing models at §I(C)(3)(a) above.) Application components are identified in rule at R18-12-270(F)-(G) and require a Department-generated application form. No application review times are specified in statute or rule. By rule, if an application is received no later than 30 days prior to the expiration of the 12-month temporary closure period, the applicant automatically receives an extension until the Department makes its decision to grant or deny the license. If denied, the extension continues for 180 days after receipt. This means that if denial is to occur, it is in the applicant's interest that the denial occur as late as possible. Department experience is that well prepared applications usually result in early decisions to grant and that poorly prepared applications usually require extensive interaction with the applicant in an effort to achieve an approvable application. This suggests that short review deadlines will work to the detriment of applicants especially as no refunds are possible in this license category. Applicants eager to receive this license can encourage early approval by submitting complete applications in the first instance and as early as possible in advance of the application deadline. Table 18 shows 42 business days for the administrative completeness review time-frame (approximately 2 months) and 84 business days for the substantive review time-frame (approximately 4 months). This is reasonable because the volume of requests for this license should remain low despite the December 22, 1998 deadline for upgrading UST systems. This is because the cost of the site assessment which must accompany the request for extension of temporary closure represents the majority of the cost of permanent closure or change-in-service. For this reason, the financial advantage of extending temporary closure is probably minimal in most cases. Department experience is that the time to review and reach a licensing decision on an application for extension of temporary closure is approximately the same as to review and reach a licensing decision on a closure report for compliance. With the anticipated work load in late 1998 and early 1999, the above periods for administrative and substantive review of extension requests should allow for processing of both the permanent closure reports and this license, assuming Department resources for the review remain unchanged.

Group II: UST service provider licenses. Each of these licenses is authorized and required by A.R.S. § 49-1082 and governed by R18-12-801 through R18-12-809. These licenses are not subject to sanctions because the Department collects no fees from applicants for their issuance. These are Model D licenses because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-12-806 and require a Department-generated application form. Certain application review times are specified in rule at R18-12-806(C): a licensing decision shall be made within 30 calendar days of receipt and a notice of administrative deficiencies, if made, shall be issued within 15 calendar days of receipt. These 2 calendar periods of 15 days each identified at R18-12-806(C) convert to business days as 11 days for the administrative completeness review time-frame and 11 days for the substantive review time-frame. These together total 22 business days or 1 day longer than the standard conversion of 30 calendar days to 21 business days. This is reasonably equivalent because the 22 business days include the day of receipt whereas the 30 calendar days do not. These are the times shown on Table 18 for all license categories in this group. Department experience is that all licensing decisions are made not later than the 30-day rule limit. Applicants who fail to respond adequately to a notice of administrative deficiencies before the 30-day rule limit are subject to routine denial of their applications.

(2) UST installation and retrofit service provider certification. This license is identified specifically at R18-12-803(1). The requirements, circumstances, and time-frame assignments of this license are as described above for all licenses under this group.

(3) UST tightness testing service provider certification. This license is identified specifically at R18-12-803(2). The requirements, circumstances, and time-frame assignments of this license are as described above for all licenses under this group.

(4) UST cathodic protection testing service provider certification. This license is identified specifically at R18-12-803(3). The requirements, circumstances, and time-frame assignments of this license are as described above for all licenses under this group.

(5) UST decommissioning service provider certification. This license is identified specifically at R18-12-803(4). The requirements, circumstances, and time-frame assignments of this license are as described above for all licenses under this group.

(6) UST interior lining service provider certification. This license is identified specifically at R18-12-803(5). The requirements, circumstances, and time-frame assignments of this license are as described above for all licenses under this group.

Group III: Leaking underground storage tank (LUST) licenses.

(7) Standard LUST corrective action plan (CAP) approval with no public hearing. This license is authorized and governed by A.R.S. § 49-1005. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public meeting is not required. Application components are identified at 40 C.F.R. §§ 280.66 and 280.67 and a Department-generated application form is required. No review times are identified in statute or rule. The times for administrative and substantive review shown on Table 18 are based on anticipated work-load and staffing. The availability of resources for CAP review is significantly reduced (from the approximate 20% of UST/LUST Section Remedial Actions Unit staff time previously devoted to

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these applications) to something in the area of 1% to 3% of available Unit staff time. The reduction of available resources is due to the Remedial Actions Unit assuming full responsibility for technical review of SAF claims for both pre-approval and reimbursement from the SAF contractor. While there is a potential for additional Department staffing to handle the increased SAF work-load, the timing between the additional work and staffing will not be coincident. Table 18 shows 42 business days for the administrative completeness review time-frame (approximately 2 months) and 146 business days for the substantive review time-frame (approximately 7 months).

(8) Standard LUST corrective action plan approval with a public hearing. This license is authorized and governed by A.R.S. § 49-1005. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model F license because a public meeting is required in addition to substantive review of non-uniform application components. Application components are identified at 40 C.F.R. §§ 280.66 and 280.67 and a Department-generated application form is required. No review times are identified in statute or rule. Table 18 shows 42 business days for the administrative completeness review time-frame (approximately 2 months) and 209 business days for the substantive review time-frame (approximately 10 months).

(9) Complex LUST corrective action plan approval with no public hearing. This license is authorized and governed by A.R.S. § 49-1005. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public meeting is not required. Application components are identified at 40 C.F.R. §§ 280.66 and 280.67 and a Department-generated application form is required. No review times are identified in statute or rule. Table 18 shows 42 business days for the administrative completeness review time-frame (approximately 2 months) and 209 business days for the substantive review time-frame (approximately 10 months).

(10) Complex LUST corrective action plan approval with a public hearing. This license is authorized and governed by A.R.S. § 49-1005 and governed by 40 C.F.R. §§ 280.66 and 280.67. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model F license because a public meeting is required in addition to substantive review of non-uniform application components. Application components are identified at 40 C.F.R. §§ 280.66 and 280.67 and a Department-generated application form is required. No review times are identified in statute or rule. Table 18 shows 42 business days for the administrative completeness review time-frame (approximately 2 months) and 272 business days for the substantive review time-frame (approximately 13 months).

(11) LUST VEMUR approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified at R18-7-207. Following the analysis and discussion under Table 10, license category 15 above, Table 18 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(12) LUST VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by A.A.C. R18-7-207. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified at R18-7-207 and require a Department-generated application form. Following the analysis and discussion under Table 10, license category 16 above, Table 18 shows 15 business days for administrative completeness review and 27 business days for substantive review.

Group IV: State assurance fund (SAF) licenses.

(13) SAF firm pre-qualification approval. This license is authorized and identified at A.R.S. § 49-1052(D) and governed by A.A.C. R18-12-602. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-12-602 and require a Department-generated application form. No application review times are specified in statute or rule. Table 18 shows 11 business days (approximately 15 calendar days) for the administrative completeness review time-frame and 42 business days (approximately 60 calendar days) for the substantive review time-frame. Department experience is that applications are received episodically and frequently several submissions are received simultaneously, making prediction of processing times difficult.

(14) SAF pre-approval approval. This license is authorized and required by A.R.S. § 49-1052 and governed by R18-12-607 and R18-12-607.01. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-12-601, R18-12-607 and R18-12-607.01 and require a Department-generated application form. Certain application review times are specified at R18-12-607.01(B) and (M). The rule requires the Department to issue a licensing decision within 90 calendar days of receipt of the application but subject to a number of complex suspensions designed to allow an applicant to cure deficiencies. The consequence of the Department's failure to issue a determination of technical deficiencies within 60 calendar days or a licensing decision within 90 calendar days (excluding suspension days) is that applicants may proceed in the corrective actions described in the application. Table 18 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 42 business days (approximately 60 calendar days) for the substantive review time-frame.

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(15) SAF direct payment approval. This license is authorized and required by A.R.S. § 49-1052 and governed by R18-12-607 and R18-12-607.01. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-12-601, R18-12-607 and R18-12-607.01 and require a Department-generated application form. Certain application review times are specified in R18-12-607.01(B) and (M). The rule requires the Department to issue a licensing decision within 90 calendar days of receipt of the application but subject to a number of complex suspensions designed to allow an applicant to cure deficiencies. The consequence of the Department's failure to issue a determination of technical deficiencies within 60 calendar days or a licensing decision within 90 calendar days (excluding suspension days) is that applicants may proceed in the corrective actions described in the application. Table 18 shows 21 business days (approximately 30 calendar days) for the administrative completeness review time-frame and 42 business days (approximately 60 calendar days) for the substantive review time-frame.

(16) Standard SAF reimbursement approval. This license is authorized and required at A.R.S. § 49-1052 and A.C.C. R18-12-604 and R18-12-605. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-12-601, R18-12-604 and R18-12-605 and require a Department-generated application form. No application review times are specified in statute or rule. Table 18 shows 42 business days (approximately 2 months) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame.

(17) Complex SAF reimbursement approval. This license is authorized and required at A.R.S. § 49-1052 and A.C.C. R18-12-604 and R18-12-605. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-12-601, R18-12-604 and R18-12-605 and require a Department-generated application form. No application review times are specified in statute or rule. Table 18 shows 42 business days (approximately 2 months) for the administrative completeness review time-frame and 167 business days (approximately 8 months) for the substantive review time-frame.

b. Licenses not subject to Article 7.1 licensing time-frame requirements.

The Department has determined that the following licenses are not subject to Article 7.1 time-frame requirements for the reasons given below.

(1) UST notification. This Model B (notification) license is authorized and required by A.R.S. § 49-1002 and is governed by A.A.C. R18-12-222. An UST owner must report to the Department within 30 days of installation of an UST or change in information on a previously submitted notification form such as the acquisition of a facility or the closure of an UST. Failure to notify in a timely manner means that the UST owner is in violation of the law and is subject to enforcement action. Obtaining the license through notification protects the owner from enforcement. Upon receipt of the notification form, Department practice has been to assign an identification number to the owner or the facility, if one is not already assigned. Any new number is then sent to the owner making the filing. There is no requirement in statute or rule that identification numbers be assigned or disclosed to a notifier.

(2) UST permanent closure or change-in-service notice of intent. This Model B (notification) license is authorized and required by A.R.S. § 49-1008 and is governed by A.A.C. R18-12-271(A). An UST owner or operator must file this notice at least 30 days prior to a permanent closure or change-in-service. The license expires 6 months after notification. The Department issues a "closure number" upon receipt of the notice of intent although this is not required by rule. Department practice is to inform the UST owner or operator of the closure number. Once issued, however, the number is available for use by the UST owner or operator to arrange for an inspection by the Fire Marshal, an activity required under the Uniform Fire Code (UFC) but not by the Department. A closure number is not required to obtain the inspection although the Fire Marshal will probably ask the owner or operator for the number, if known. If the Fire Marshal is unable to conduct an inspection, the Department may conduct one of its own. If conducted, the inspection occurs under the Department's enforcement, not licensing, authority because the inspection is not required to validate either the notice of intent or the subsequent UST permanent closure or change-in-service report.

(3) UST permanent closure or change-in-service reports. This Model B (notification) license is authorized and required by A.R.S. § 49-1008 and is governed by A.A.C. R18-12-271. An owner or operator of an UST must file this report with the Department within 30 days of completion of a permanent closure or change-in-service under R18-12-271(D). Department practice is to review the report. This review is an enforcement, not a licensing, activity. If the report concerns a permanent closure, Department practice is to send the reporter a letter acknowledging clean closure if the Department so finds. If the Department does not find the closure to be clean, the Department forwards the report to UST Technical Support Unit (TSU) Case Evaluation and Ranking Team (CERT) and sends a 14-day letter to the UST owner or operator if the release has not already been reported. There is no rule requirement for this review and resulting letter or referral to TSU CERT.

(4) UST release or suspected release reports. These Model B (notification) licenses are authorized and required by A.R.S. § 49-1004 and governed by A.A.C. R18-12-234. An UST owner or operator must (1) report a release or suspected release orally or in writing to the Department within 24 hours of detection and (2) submit a written report to the Department describing the results of discovery activities within 14 days after the detection. Although the Department usually contacts the reporter to obtain further information, there is no requirement to do so in statute, 40 C.F.R. §§ 280.50 through 280.53, or rule.

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(5) **UST corrective action reports.** These licenses are authorized and required by A.R.S. § 49-1005 and governed by A.A.C. R18-12-234. In addition to the UST corrective action plan appearing on Table 18, an UST owner or operator must submit reports on free product removal and site characterization to the Department in accordance with A.R.S. § 49-1005 which, in turn, references 40 C.F.R. §§280.64 and 280.65. The Department is not required to review or respond to these reports. Several other reports are received by the Department during the corrective action process which are not addressed directly in statute or rule. Frequently, monitoring reports and other periodic reports of work are submitted. All these are either Model B licenses or a form of compliance with license terms and conditions.

(6) **Petroleum UST financial responsibility report.** This Model B (notification) license is authorized and required by A.R.S. § 49-1006 and governed by A.A.C. R18-12-301. Owners and operators of petroleum UST systems must report evidence of compliance with financial responsibility requirements. The Department is not required to respond to these reports. If the Department determines a report insufficient, the Department will contact the reporter under the Department's enforcement, not licensing, authority.

(7) **UST SAF corrective action phase notice.** This Model B license is authorized and required under A.R.S. § 49-1052(O). An SAF eligible person must inform the Department prior to commencement of a phase of corrective action or coverage will be lost for that phase. Upon receipt of the notice, the Department sends the eligible person certain required information. The Department's response, although required by statute, does not confer permission; only information.

(8) **UST tax program.** In addition, the Department administers the UST tax program authorized and required by A.R.S. §§ 49-1031 through 49-1036 (Tit. 49, ch. 6, art. 2) and governed by A.A.C. R18-12-401 through R18-12-410 (Tit. 18, ch. 12, art. 4). This program collects an annual fee based on the quantity of regulated substances placed in a tank during the year. The UST tax program's (1) tax payments, (2) reporting, invoicing, and affidavit requirements, (3) refund requests, and (4) exemption certificates are all part of an annual compliance fee program and do not operate under the Department's licensing authority.

(9) **UST fee program.** The Department also administers the UST fee program authorized and required by A.R.S. § 49-1020 and governed by A.A.C. R18-12-501 (Tit. 18, ch. 12, art. 5). This program collects an annual fee of \$100 for each UST subject to the fee. This represents an annual compliance fee program and does not operate under the Department's licensing authority.

(10) **LUST risk assessment methodology approval request.** This license is authorized by A.R.S. § 49-152 and governed by R18-7-208. Application components are identified in rule at R18-7-208(C). Certain licensing review times are specified in rule at R18-7-208(D). This license is a Model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

(11) **LUST remediation close-out document request.** This license is authorized by A.R.S. § 49-152 and governed by R18-7-208. Application components are identified in rule at R18-7-208. This license is a Model B license because notice is required from the applicant but the Department does not actually issue the license which means the license is not subject to time-frame requirements.

(12) **SAF grant.** This license is not subject to Article 7.1 time-frame requirements because it occurs under the Department's contractual, not licensing, authority and, therefore, falls within the express exception for contractual activity at A.R.S. § 41-1005(16).

(13) **SAF grant application.** This license is authorized and required by A.R.S. § 49-1072 and governed by R18-12-701 through R18-12-714. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in rule at R18-12-705 and R18-12-706 and require a Department-generated application form. Licensees are permitted to enter into a grant agreement with the Department. Denial of the license means the prospective licensee is prohibited from entering into an agreement. As the grant itself is a contractual, not a licensing, activity by the Department, this draft rule does not show this preliminary license as one subject to Article 7.1.

19) Table 19: WQARF Remediation Licenses

The Department issues the following non-fee licenses which are subject to licensing time-frame requirements as part of the state's Water Quality Assurance Revolving Fund (WQARF) program in accordance with A.R.S. §§ 49-281 through 49-298 and the state's soil remediation program in accordance with A.R.S. §§ 49-151 through 49-152 and administered by the Department's Remedial Projects Section of the Waste Programs Division. The following numbered license categories appear on Tables 19 and 19-S with the same corresponding numbers shown in parentheses. Table 19 shows the licenses issued by the Phoenix Office and Table 19-S shows the licenses issued by the Southern Regional Office. The arrangement of licenses categories on these tables is as follows:

- WQARF preliminary investigation work plan approval (1).
- WQARF remedial investigation work plan approval (2).
- WQARF feasibility study work plan approval (3).
- WQARF standard/complex remedial action plan (RAP) approval (4-5).
- WQARF determination of no further action approval (6).
- WQARF site rescoring approval (7).
- WQARF qualified business settlement approval (8).
- WQARF financial hardship settlement approval (9).
- WQARF voluntary environmental mitigation use restriction (VEMUR) approval (10).

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WQARF VEMUR cancellation approval (11).

(1) WQARF preliminary investigation work plan approval. This license is authorized and identified at A.R.S. §§ 49-282.06 and 49-287.01. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.01 and A.A.C. R18-7-201 through R18-7-209 and require site inspection. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Tables 19 and 19-S show 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame.

(2) WQARF remedial investigation work plan approval. This license is authorized and identified at A.R.S. §§ 49-282.06 and 49-287.03. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03 and R18-7-201 through R18-7-209 and require site inspection. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Tables 19 and 19-S show 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(3) WQARF feasibility study work plan approval. This license is authorized and identified at A.R.S. §§ 49-282.06 and 49-287.03. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Departmental approval of a baseline risk assessment is conducted as part of the feasibility study work plan approval. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03 and R18-7-201 through R18-7-209 and require site inspection. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Tables 19 and 19-S show 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(4) WQARF standard remedial action plan (RAP) approval. This license is authorized and identified at A.R.S. §§ 49-282.06 and 49-287.04. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Departmental approval of risk assessment-derived cleanup levels or waiver of other regulatory or permit conditions is conducted as part of the RAP approval and memorialized with the rest of the approval in a Record of Decision. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04 and R18-7-201 through R18-7-209 and require site inspection. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Tables 19 and 19-S show 21 business days (approximately 1 month) for the administrative completeness review time-frame and 105 business days (approximately 5 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(5) WQARF complex remedial action plan (RAP) approval. This license is authorized and identified at A.R.S. §§ 49-282.06 and 49-287.04. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Departmental approval of risk assessment-derived cleanup levels or waiver of other regulatory or permit conditions is conducted as part of the RAP approval and memorialized with the rest of the approval in a Record of Decision. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04 and R18-7-201 through R18-7-209 and require site inspection. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Tables 19 and 19-S show 21 business days (approximately 1 month) for the administrative completeness review time-frame and 146 business days (approximately 5 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(6) WQARF determination of no further action approval. This license is authorized and identified at A.R.S. § 49-287.01. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. §§ 49-287.01(F) and 49-287.01(G) and require a site inspection. Tables 19 and 19-S show 42 business days (approximately 2 months) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(7) WQARF site rescoring approval. This license is authorized and identified at A.R.S. § 49-287.01(F). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-287.01(F) and require a site inspection. Tables 19 and 19-S show 21 business days (approx-

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mately 1 month) for the administrative completeness review time-frame and 42 business days (approximately 2 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(8) WQARF qualified business settlement approval. This license is authorized and identified at A.R.S. § 49-292.01(A). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-292.01(B) and require a Department-generated application form. Tables 19 and 19-S show 21 business days (approximately 1 month) for the administrative completeness review time-frame and 42 business days (approximately 2 months) for the substantive review time-frame.

(9) WQARF financial hardship settlement approval. This license is authorized and identified at A.R.S. § 49-292.02(A). This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-292.02(B). Tables 19 and 19-S show 21 business days (approximately 1 month) for the administrative completeness review time-frame and 42 business days (approximately 2 months) for the substantive review time-frame.

(10) WQARF voluntary environmental mitigation use restriction (VEMUR) approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.C.C. R18-7-207. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified at R18-7-207 and require a Department-generated application form. Following the analysis and discussion under Table 10, license category 15 above, Tables 19 and 19-S show 15 business days for administrative completeness review and 47 business days for substantive review.

(11) WQARF VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by R18-7-207. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified at R18-7-207 and require a Department-generated application form. Following the analysis and discussion under Table 10, license category 16 above, Tables 19 and 19-S show 15 business days for administrative completeness review and 27 business days for substantive review.

20) Table 20: Voluntary Program Remediation Licenses

The Department issues the following licenses which are subject to licensing time-frame requirements as part of the state's voluntary remediation program (VRP) in accordance with A.R.S. §§ 49-104(A)(17) and 49-282.05, the state's greenfields pilot program in accordance with A.R.S. §§ 49-153 through 49-157, and the state's soil remediation program in accordance with A.R.S. §§ 49-151 through 49-152 and administered by the Department's Voluntary Sites Unit of the Waste Programs Division. The following numbered license categories appear on Table 20 with the same corresponding numbers shown in parentheses. The arrangement of licenses categories on this table is as follows.

Group I: Voluntary program acceptance license.
Voluntary program eligibility determination (1).

Group II: Voluntary program WQARF remediation licenses.
Voluntary program WQARF remedial investigation work plan approval (2).
Voluntary program WQARF feasibility study work plan approval (3).
Voluntary program WQARF standard/complex remedial action plan (RAP) approval (4-5).
Voluntary program WQARF letter of completion (6).
Voluntary program WQARF voluntary environmental mitigation use restriction (VEMUR) approval (7).
Voluntary program WQARF VEMUR cancellation (8).

Group III: Voluntary program nonlandfill solid waste remediation licenses.
Voluntary program standard/complex nonlandfill solid waste remediation work plan approval (9-10).
Voluntary program nonlandfill solid waste VEMUR approval (11).
Voluntary program nonlandfill solid waste VEMUR cancellation approval (12).

Group IV: Voluntary program special waste remediation licenses.
Voluntary program standard/complex special waste remediation work plan approval (13-14).
Voluntary program special waste VEMUR approval (15).
Voluntary program special waste VEMUR cancellation approval (16).

Group V: Voluntary program hazardous waste remediation licenses.
Voluntary program standard/complex special waste remediation work plan approval (17-18).
Voluntary program hazardous waste VEMUR approval (19).
Voluntary program hazardous waste VEMUR cancellation approval (20).

Group VI: Voluntary program leaking underground storage tank (LUST) remediation licenses.
Voluntary program standard LUST corrective action plan (CAP) approval without/with a public meeting (21-22).

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Voluntary program complex LUST CAP approval without/with a public hearing (23-24).
Voluntary program LUST VEMUR approval (25).
Voluntary program LUST VEMUR cancellation approval (26).

Group VII: Voluntary program greenfields remediation license.
Greenfields notice-to-proceed (NTP) approval (27).

Group VIII: Voluntary program brownfields remediation license.
Voluntary program brownfields certification (28).

All applicants for review under the voluntary program are charged application review fees. These applicants include "true volunteers" and "quasi-volunteers."

True volunteers have no A.R.S. Title 49 remediation obligations but still desire Department review of the remedial activities. Failure by the Department to meet the time-frames on Table 20 will not result in refunds and excusals for true volunteer applications because such applications can never contain requests for a "permission required by law" as defined at A.R.S. § 41-1001(11).

Quasi-volunteers have A.R.S. Title 49 remediation obligations but have not yet been identified by the Department for enforcement. Failure by the Department to meet the time-frames on Table 20 will result in refunds and excusals for quasi-volunteer applications if the application contains a request for a "permission required by law" as defined at A.R.S. § 41-1001(11).

The Department recognizes that the distinction between "true volunteers" and "quasi-volunteers" will divide applicants in the voluntary remediation program into 2 groups depending on whether the applications are subject to Article 7.1 licensing time-frames or not. The Department expects this result, by necessity, to introduce a certain tension into the review activities of the program with applications subject to Article 7.1 taking review precedence over those not subject. This tension can be expected to increase as time-frames become shorter.

The Department solicits comment on whether this analysis is legally sound, how the program should determine which applications are rightfully subject to Article 7.1 licensing time-frame requirements, and how the program should respond to the tensions inherent between applications subject to time-frames and those that are not.

Group I: Voluntary program acceptance license. This group consists of one license category which is permission for a person to enter into the VRP rather than another Department program for oversight of the remediation.

(1) **Voluntary program eligibility determination.** This license is authorized and identified at A.R.S. 49-104(A)(17) and 49-282.05. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. 49-104(A)(17) and 49-282.05. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 42 business days (approximately 2 months) for the substantive review time-frame.

Group II. Voluntary program WQARF remediation licenses. This group consists of remediation license categories identical to the categories of licenses issued under the WQARF program except that applicants apply to the VRP for review of the remediation application in exchange for a fee.

(2) **Voluntary program WQARF remedial investigation work plan approval.** This license is authorized and identified at A.R.S. §§ 49-282.05, 49-282.06 and 49-287.03. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03 and A.A.C. R18-7-201 through R18-7-209 and require a Department-generated application form, site inspection and an initial fee. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(3) **Voluntary program WQARF feasibility study work plan approval.** This license is authorized and identified at A.R.S. §§ 49-282.05, 49-282.06 and 49-287.03. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Departmental approval of a baseline risk assessment is conducted as part of the feasibility study work plan approval. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03 and A.A.C. R18-7-201 through R18-7-209 and require a Department-generated application form, site inspection and an initial fee. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(4) **Voluntary program WQARF standard remedial action plan (RAP) approval.** This license is authorized and identified at A.R.S. §§ 49-282.05, 49-282.06 and 49-287.04. This license is subject to sanctions because the Department collects fees from

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applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Departmental approval of risk assessment-derived cleanup levels or waiver of other regulatory or permit conditions is conducted as part of the RAP approval. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04 and A.A.C. R18-7-201 through R18-7-209 and require a Department-generated application form, site inspection and an initial fee. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 105 business days (approximately 5 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(5) Voluntary program WQARF complex remedial action plan (RAP) approval. This license is authorized and identified at A.R.S. §§ 49-282.05, 49-282.06 and 49-287.04. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Departmental approval of risk assessment-derived cleanup levels or waiver of other regulatory or permit conditions is conducted as part of the RAP approval. Application components are identified at A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04 and A.A.C. R18-7-201 through R18-7-209 and require a Department-generated application form, site inspection and an initial fee. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 146 business days (approximately 5 months) for the substantive review time-frame. If a public hearing is held the substantive review time is not increased because the hearing occurs concurrently with the other licensing activities.

(6) Voluntary program WQARF letter of completion. This license is authorized and identified at A.R.S. § 49-285(B). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified in statute at A.R.S. §§ 49-282.06, 49-285(B) and A.A.C. R18-7-201 through R18-7-209 and require a Department-generated application form, site inspection and an initial fee. Application components are also identified at R18-7-108 and R18-7-109 which may be revised by a pending interim WQARF rule making. Table 20 shows 42 business days (approximately 2 months) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame.

(7) Voluntary program WQARF VEMUR approval. This license is authorized and required by A.R.S. § 49-152(B) and governed by A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis and discussion under Table 10, license category 15 above, Table 20 shows 15 business days for administrative completeness review and 47 business days for substantive review.

(8) Voluntary program WQARF VEMUR cancellation approval. This license is authorized and required by A.R.S. § 49-152(C) and governed by A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and no public hearing is required. Application components are identified in statute at A.R.S. § 49-152(C) and in rule at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis and discussion under Table 10, license category 16 above, Table 20 shows 15 business days for administrative completeness review and 27 business days for substantive review.

Group III. Voluntary program nonlandfill solid waste remediation licenses.

(9) Voluntary program standard nonlandfill solid waste remediation work plan approval. This license is authorized and identified at A.R.S. § 49-104(A)(17). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-104(A)(17) and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame.

(10) Voluntary program complex nonlandfill solid waste remediation work plan approval. This license is authorized and identified at A.R.S. § 49-104(A)(17). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-104(A)(17) and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame.

(11) Voluntary program nonlandfill solid waste VEMUR approval. This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(B) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires

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substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 47 business days for the substantive review time-frame.

(12) Voluntary program nonlandfill solid waste VEMUR cancellation approval. This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(C) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 27 business days for the substantive review time-frame.

Group IV. Voluntary program special waste remediation licenses.

(13) Voluntary program standard special waste remediation work plan approval. This license is authorized and identified at A.R.S. § 49-104(A)(17). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-104(A)(17) and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame.

(14) Voluntary program complex special waste remediation work plan approval. This license is authorized and identified at A.R.S. § 49-104(A)(17). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-104(A)(17) and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame.

(15) Voluntary program special waste VEMUR approval. This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(B) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 47 business days for the substantive review time-frame.

(16) Voluntary program special waste VEMUR cancellation approval. This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(C) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 27 business days for the substantive review time-frame.

Group V. Voluntary program hazardous waste remediation licenses.

(17) Voluntary program standard hazardous waste remediation work plan approval. This license is authorized and identified at A.R.S. § 49-104(A)(17). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-104(A)(17) and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 63 business days (approximately 3 months) for the substantive review time-frame.

(18) Voluntary program complex hazardous waste remediation work plan approval. This license is authorized and identified at A.R.S. § 49-104(A)(17). This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-104(A)(17) and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 84 business days (approximately 4 months) for the substantive review time-frame.

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(19) **Voluntary program hazardous waste VEMUR approval.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(B) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 47 business days for the substantive review time-frame.

(20) **Voluntary program hazardous waste VEMUR cancellation approval.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(C) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 27 business days for the substantive review time-frame.

Group VI. Voluntary program leaking underground storage tank (LUST) remediation licenses. This group consists of remediation license categories identical to the categories of LUST licenses issued under the underground storage tanks program except that applicants are not under enforcement, are not seeking state assurance fund (SAF) reimbursement, and apply to the VRP for expedited review of the remediation application in exchange for a fee.

(21) **Voluntary program standard LUST corrective action plan (CAP) approval with no public meeting.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-1005. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public meeting is not required. Application components are identified at A.R.S. § 49-1005 and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 42 business days (approximately 2 months) for the administrative completeness review time-frame and 146 business days (approximately 7 months) for the substantive review time-frame.

(22) **Voluntary program standard LUST corrective action plan (CAP) approval with a public meeting.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-1005. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components is required and a public meeting is required. Application components are identified at A.R.S. § 49-1005 and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 42 business days (approximately 2 months) for the administrative completeness review time-frame and 209 business days (approximately 10 months) for the substantive review time-frame.

(23) **Voluntary program complex LUST corrective action plan (CAP) approval with no public meeting.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-1005. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public meeting is not required. Application components are identified at A.R.S. § 49-1005 and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 42 business days (approximately 2 months) for the administrative completeness review time-frame and 209 business days (approximately 10 months) for the substantive review time-frame.

(24) **Voluntary program complex LUST corrective action plan (CAP) approval with a public meeting.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-1005. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model F license because substantive review of non-uniform application components is required and a public meeting is required. Application components are identified at A.R.S. § 49-1005 and require a Department-generated application form, site inspection and an initial fee. Table 20 shows 42 business days (approximately 2 months) for the administrative completeness review time-frame and 272 business days (approximately 13 months) for the substantive review time-frame.

(25) **Voluntary program LUST VEMUR approval.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(B) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 47 business days for the substantive review time-frame.

(26) **Voluntary program LUST VEMUR cancellation approval.** This license is authorized and identified at A.R.S. §§ 49-104(A)(17) and 49-152(C) and is governed under A.A.C. R18-7-207. This license is subject to sanctions because the Department collects fees from applicants for its issuance, those fees are deposited into a Department fund and the application requires

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substantive review. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at R18-7-207 and require a Department-generated application form and an initial fee. Following the analysis pertaining to Table 10, license category 15 above, Table 20 shows 15 business days for the administrative completeness review time-frame and 27 business days for the substantive review time-frame.

Group VII. Voluntary program greenfields remediation license. This group consists of a remediation license issued by the Department's voluntary sites unit under the greenfields pilot program pursuant to A.R.S. §§ 49-153 through 49-157.

(27) Greenfields notice-to-proceed (NTP) approval. This license is authorized and identified at A.R.S. §§ 49-153 through 49-157. This license is not subject to sanctions because the Department collects no fees from applicants for its issuance. This is a Model D license because substantive review of uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-154(C) and require a Department-generated application form. Table 20 shows 5 business days (approximately 1 week) for the administrative completeness review time-frame and 5 business days (approximately 1 week) for the substantive review time-frame.

Group VIII. Voluntary program brownfields remediation license. This group consists of a remediation license issued by the Department's voluntary sites unit under the federal/state brownfields program.

(28) Voluntary program brownfields certification. This license is authorized and identified in the Governor's August 29, 1997 letter to the U.S.E.P.A. concerning the designation of the Department as a state environmental agency within the meaning of Section 198(c)(1)(C) of the federal Taxpayer Relief Act of 1997. This license is not subject to sanctions because the Department does not collect fees from applicants for its issuance. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at Section 198(c)(1)(C) of the federal Taxpayer Relief Act of 1997 and require a Department-generated application form. Table 20 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 21 business days for the substantive review time-frame.

21) Table 21: Pollution Prevention Licenses

- a. Licenses subject to Article 7.1 licensing time-frame requirements.

The Department issues the following license as part of the state pollution prevention program in accordance with A.R.S. §§ 49-961 through 49-973 and administered by the Department's Pollution Prevention Section of the Waste Programs Division. This license is subject to time-frame requirements.

(1) State agency generation level pre-approval. This license is authorized and identified at A.R.S. § 49-972(C). This license is not subject to sanctions because the Department does not collect a fee for the review of applications. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at A.R.S. § 49-972(E). Table 21 shows 63 business days (approximately 3 months) for the administrative completeness review time-frame and 63 business days for the substantive review time-frame. The Department has no experience with this license as no applications have been received to date. The times are set to correspond to other pollution prevention plan licenses.

- b. Licenses not subject to Article 7.1 licensing time-frame requirements.

All other licenses issued by the Department's Pollution Prevention Section of the Waste Programs Division are not subject to Article 7.1 because they are granted by default should the Department not make a licensing decision within a fixed time.

22) Table 22: Multi-Program Licenses

Application for the following license requires review by more than one Department program. This license is subject to licensing time-frame requirements.

(1) Airport construction & expansion certificate (air & water). This license is authorized and identified at A.R.S. § 49-104. This license is not subject to sanctions because the Department does not collect a fee for the review of applications. This is a Model E license because substantive review of non-uniform application components is required and a public hearing is not required. Application components are identified at 49 U.S.C. § 2208(7)(A). Table 22 shows 21 business days (approximately 1 month) for the administrative completeness review time-frame and 42 business days (approximately 2 months) for the substantive review time-frame.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

Not applicable.

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

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8. The preliminary summary of the economic, small business, and consumer impact:

A. Introduction.

This summary represents the entire preliminary summary of the economic, small business, and consumer impact statement (EIS) for this proposed rule making. No additional materials are included in the rule making docket at this time. The Department will continue to perform research, analyze costs and benefits, and develop other EIS concepts. The results will be reported in the final EIS. The Department solicits comment and input on the accuracy of this summary.

The general approach taken by this EIS is that a rule making affecting the licensing transactions administered by the Department will impact not only the Department and the licensees but will also have (1) primary impacts on licensing consultants and others directly involved in the licensing process and have (2) secondary impacts on other important segments of the economy including construction, government, and finance, and others as customers, employees, investors, or suppliers of licensees.

In the EIS, the Department will analyze the probable cost and benefit impacts of the rule and compare those impacts due to a bare adherence to the licensing time-frames (LTF) statute, A.R.S. §§ 41-1072 through 41-1079, with those impacts due to various mitigating measures offered in the proposed rule. In each case, these mitigating measures respond to the Department's desire to maximize the benefits and minimize the costs of the rule on applicants as a whole and on the Arizona class of small businesses in particular. The approach taken is that maximizing benefits and minimizing the costs on small businesses must be done to the maximum extent permitted under law so that the Department may comply fully with its A.R.S. § 41-1035 small business impact reduction duties. The Department expects the EIS to show that in addressing the needs of small businesses, the Department believes that it has also produced equivalent results for entities falling outside that class including private and public entities.

B. Refunds, Fee Excusals, and Penalties.

One important analysis of the EIS must focus on the probable impacts of sanctions (refunds, fee excusals, and penalties) due to Department failure to make a licensing decision prior to the expiration of the time-frame periods. Based on the experience of the Massachusetts department of environmental protection with its similar refund rule over the last 7 years, the Department expects refunds to be less than 0.5% per year with probably no refunds occurring during the first year of operation. Public response received by the Department so far makes clear that, by far, the overwhelming desire of applicants is to obtain license approvals rather than refunds. To this end, public response has also made clear that this rule must be designed to maximize opportunities to encourage early approvals rather than maximize opportunities to encourage refunds. The Department believes this proposed rule achieves this goal to the maximum extent permitted by statute.

C. Mitigation Measures Analyzed in the Proposed Rule.

Mitigation contained in the proposed rule, but not specifically identified in the LTF statute, include the following measures. The Department believes that the deletion of any will cause the cost-benefit analysis to tip adversely in regards to applicants and the other non-Departmental primary and secondary impacts identified above.

(1) Pre-application and changed application agreements. These provisions are shown at R18-1-508 and R18-1-511 and provide mechanisms to allow a certain degree of flexibility by applicants to adjust their application proposals to the constraints of the licensing requirement process. The Department believes that deletion of these provisions will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the payment of additional application fees due upon refile, the expenditure of additional time on one or more subsequent applications, and the delay in obtaining the desired license.

(2) Reactivated and opt-in application agreements. These provisions are shown at R18-1-512 and R18-1-513 and provide mechanisms to allow applicants certain opportunities to subject the remaining term of their applications to this rule. The Department is not certain what the exact costs and benefits of these provisions are in isolation. These provisions are included in this proposed rule due to numerous requests made at public workshops on this rule that they be included. In operation, applicants will enter into them only if they believe it advantageous to do so. This means that applicants will believe the provisions to offer positive cost-benefit results. For this reason, The Department believes that deletion of these provisions will be perceived by applicants as resulting in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the delay in obtaining the desired license.

(3) Suspension of time-frames pending payment of fees or receipt of applicant's signature. These provisions are shown at R18-1-514 and provide a mechanism to allow these required application components to be submitted outside the administrative completeness review time frame. This allows the Department to harmonize licensing time-frames statutory requirements with other statutory requirements of various licensing programs. The requirements imposed on applicants are required to occur after the Department, in effect, has made its actual licensing decision but before it may make the licensing decision final and effective. The Department believes that deletion of these provisions will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes either the extension of all licensing time frames for all affected categories to allow these required end-of-review activities to take place while the clock is running or the discouragement of applicants from submitting application proposals that may invoke these requirements.

(4) Suspension of time-frames due to a changed application. This provision is shown at R18-1-515 and provides a mechanism to allow a certain degree of flexibility by applicants to adjust their application proposals to the constraints of the licensing requirement process. The Department believes that deletion of this provisions will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the payment of additional application fees due

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upon refiling, the expenditure of additional time on one or more subsequent applications, and the delay in obtaining the desired license. The alternative is to deny and require the applicant to resubmit a new application as now revised by the applicant.

(5) Reassignment of license category. This provision is shown at R18-1-516 and provides a mechanism to allow a certain degree of flexibility by applicants in choosing which license category to begin the processing of an application subject to licensing time-frames. This provision allows the Department to correct and shift the identification of the proper category for each application so that the applicant is not required to withdraw and resubmit in a category different from the one initially selected. The Department believes that deletion of this provision will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the payment of additional application fees due upon refiling, the expenditure of additional time on one or more subsequent applications, and the delay in obtaining the desired license.

(6) Application lapse, withdrawal, and lapse date extension request. These provisions are shown at R18-1-517 and provide mechanisms to allow a certain degree of flexibility by applicants to adjust their application proposals to the constraints of the licensing requirement process and to provide certainty in the resolution of late applicant response sufficient to allow the Department to decrease many of the licensing time-frames currently shown in this proposed rule. The Department believes that deletion of this provisions will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the payment of additional application fees due upon refiling, the expenditure of additional time on one or more subsequent applications, and the delay in obtaining the desired license. In addition, deletion will require the Department to extend the time-frame periods for most of the categories shown in this proposed rule in order for the Department to relearn application proposals when an applicant is so late in its response that the Department is not likely to recall or otherwise be able to make use of review work already done but must redo some or all of the review work in order to get back up to speed on the application. The Department currently has certain applications still pending after more than 20 years after issuing requests for additional information.

(7) Emergencies and upset conditions. This provision is shown at R18-1-518 and provides a mechanism to allow the Department to reduce licensing time-frame periods for most categories. This is because this provision reduces Department risk in anticipating certain events outside its control. In this regard, other statutes require the Department to shift its risks to applicants either due to legal fiduciary requirements inherent in fee-funded programs or the general limitations imposed by the public finance statutes. For example, state law requires an agency to take certain steps to preserve state monies. For fee-funded programs, this also includes the preservation of fee collection in order to fund the ongoing operation of the program for the benefit of future applicants.

Applicants are the primary beneficiary of this provision in that in exchange for the Department having the ability to maintain the viability of programs and protect them from unavoidable and automatic refunds during emergency periods, applicants receive shorter review times overall, have increased assurance that a licensing program will survive an emergency situation and, therefore, be available to issue licenses to them in future, and know that an emergency will not cripple a program to such an extent that pending licenses will not be issued even after the emergency is over due to forced closing of the program caused by exhaustion of resources through automatic refunds. The Department believes that deletion of this provision will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the delay in obtaining the desired license.

The alternative to this provision is to extend all license review times so as to reduce risk of late review due to circumstances beyond the control of the Department. In some cases, these means significant time extensions such as for all categories requiring site inspections. It is not unusual that certain sites are inaccessible for weeks or months due to snow or other weather or accessibility difficulties. Also, the department cannot anticipate how often or to what extent the governor may declare emergencies requiring virtually all personal in a particular program to shift from application review activities to pollution control emergency activities. Failure to extend the times means certain program failure at some future unknown time when such emergencies, in fact, occur and the program is thereby prevented from continuing timely application review. The inevitable result is automatic refunds, financial failure of the program, and a resulting inability to provide further licensing or enforcement activity from that point forward until funding is restored from outside sources. The Department expects the EIS to show that the cost to applicants will be far greater without this provision than with the provision.

(8) Notice of intent to rely on the application components as submitted. This provision is shown at R18-1-520 and provides a mechanism to allow a certain degree of flexibility by applicants to adjust their application proposals to the constraints of the licensing requirement process. This provision provides a short licensing time-frame suspension whenever an applicant wishes formally to dispute the legality of a Department request for more information. This additional time is then used to evaluate the merits of the applicant's formal protest. This additional review time is not factored into the standard licensing time-frame periods shown in this proposed rule. The Department believes that such additional time should rightly be borne only by applicants making such a formal protest and should not be imposed on all applicants prospectively whether they ever make such a protest or not. The Department believes that deletion of this provision will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the delay in obtaining the desired license by increasing all licensing time-frame periods to anticipate the possibility that such additional review activity by the Department may be necessary. Failure to increase the times may force the Department to deny applications whenever such a protest is made if only because there will no longer be sufficient time to resolve both the protest and the application. Because resolution of the protest must take precedence, insufficient time may remain to complete an adequate review of the application resulting inevitably in increased denials. Deletion of this provision will impose additional costs on applicants including the payment of additional application fees due upon refiling, the expenditure of additional time on one or more subsequent applications, and the delay in obtaining the desired license.

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(9) Notice of intent to rely on the license category. This provision is shown at R18-1-521 and provides a mechanism to allow a certain degree of flexibility by applicants to adjust their application proposals to the constraints of the licensing requirement process. This provision, in effect, responds to a type of pre-packaged time-frames extension agreement subject to applicant veto. The absence of this provision will require the deletion of the Department's ability to change an applicant's category and thus will increase the pressure to deny unapprovable application at a higher rate than would otherwise be the case. This pressure can be reduced only by a corresponding extension of most licensing time-frame periods in this proposed rule to anticipate the possibility of this situation. For those licenses with paired standard-complex and with-without a public hearing, deletion will require all licensing time-frame periods to be set to the longest time now shown in order to accommodate the possibility for their need. The Department believes that deletion of this provision will result in a small net decrease in costs to the Department and a substantial net increase to applicants. This increase includes the payment of additional application fees due upon refiling, the expenditure of additional time on one or more subsequent applications, and the delay in obtaining the desired license.

(10) Licensing time-frame periods. These provisions are shown on the license tables. The times have been set using a variety of rationales depending upon the specific needs of each program and license category but, generally, the following concept dominated the decision making process: The Department should set the times as short as possible while at the same time set the times long enough to allow a reasonable degree of applicant flexibility to correct deficiencies without having to start over.

The Department subjected this concept and draft review times to 30 half-day informal public workshops in Phoenix, Tucson, Flagstaff, Show Low, Cottonwood, Bullhead City, and Yuma prior to fixing the times shown in this proposed rule. The workshops were moderated by third-party facilitators contracted by the Department for this purpose. The results of the workshops showed public unease over time frames set too short to allow reasonable opportunities to cure unapprovable applications prior to expiration. This was especially evident in all categories with time shown over 90 days.

The one significant exception to this was the underground storage tank (UST) corrective action plan (CAP) approvals shown on Table 18. Here, public comment was that times must be shortened significantly. In response, the UST program reevaluated its rationale and reduced the time shown. The current reductions shown are due to additional funding for review activities that have occurred since the times in the draft table were originally announced. One other area of objections raised concerning times believed to be too long concerns the aquifer protection permit (APP) program. Here, however, comment was extremely mixed with far more vigorous requests made that times not be shortened.

The most significant general response given the Department during the workshops was a desire by the public for the Department to offer reasonably long times now and later to revisit the issue when the Department processes annual housekeeping rule makings on the rule. The reasons given for this included concern that the department be forced into time so short that denials increased over current experience or that programs become financially compromised due to significant refund payments.

D. Summary of Impacts.

The Department expects the EIS to show that the Department and applicants will face a wide variety of impacts due to the rule. Some of these impacts will be significant. Others will also experience impacts as well.

The Department will incur several major costs. One is to develop and operate a permit tracking system for use across all licensing programs. This system has been in development since December 1997 and is now in final operational testing. The system is expected to be in full operation sometime during December 1998. Other initial costs include a complete reappraisal of current licensing processes in all programs followed by a reorganization of those processes, staff and public training, and implementation. Other ongoing costs include increased pre-application education and assistance.

The Department will also incur several significant benefits. The Department will no longer churn unapprovable applications by making repeated requests for the same information. Unapprovable applications will now be denied at far higher rates in certain programs than is now the case. Some programs have no history of ever denying an approvable application. Resource savings in certain programs is expected to be significant in this regard. Another benefit will be the production of an annual report to the governor's regulatory review council (GRRRC) summarizing compliance with meeting the times set in this rule. Based on Massachusetts experience, the Department expects this report to show a very high degree of compliance. This should create a number of department savings including increased employee satisfaction and retention plus decreased public dissatisfaction. This follows the experience in Massachusetts.

Applicants will experience varying degrees of impacts. For most applicants, little or no change will occur because the Department issues almost all (in numbers) licensing decisions on time and the application requirements have proved clear and understandable in the past. In certain programs, some applicants have had good business reasons to delay final licensing decisions for as long as legally feasible. This is the case for certain applicants in the hazardous waste and aquifer protection permit (APP) programs, for example. For this narrow subset of applicants, the impacts of this rule will be the most adverse. In future, they will have to submit approvable applications or face denial thus losing their application shield from enforcement.

Certain applicants will experience significant benefits from this rule. Public comment so far received in response to the draft rule has suggested that many applicants perceive important benefits to accrue for this rule due mostly to the clarity it provides to the process. Uncertainty has been identified as a major source of resource expenditure by applicants. Response received so far suggests that numerous applicants believe that many hours of their time will be saved in preparing applications and responding to requests for additional information during the application process. A typical estimate given the Department for an application for a license shown in this rule is a savings of 10 hours x 3 employees to prepare an application, 10 hours x 3 employees to respond to a notice of administrative deficiencies, and 10 hours x 3 employees to respond to a comprehensive request for addi-

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tional information. This equals 90 hours of applicant time (10 x 3 x 3). Using an estimated average cost of \$100 per employee-hour given by one commenter results in \$9000 per application. Another approach given the Department was to figure an average savings a perhaps 10% in the applicant's preparation and processing costs to achieve an approvable application. One commenter stated that it may expend well in excess of \$1 million to prepare and process an APP application. Here savings could result in perhaps as much as \$100,000. The large numbers of license applications processed by the Department annually means that even a relatively small average benefit to individual applicants will result in a very large savings to applicants as a group. Figures given by one commenter would result in an aggregate savings of over \$500 million per year if true. The Department is analyzing these estimates now and will report its conclusions in the final EIS.

Consultants retained to prepare and process applications on behalf of applicants will experience significant impacts. Costs include the possibility of increased work to comply with the more formalized processes required by the licensing time-frames statute and the possibility of increased professional risk should the statute result in an increase in denials. Benefits include increased clarity of application process requirements in some cases and perhaps a greater need by applicants to retain consultants in order to comply with statute requirements in a timely manner sufficient to avoid denial.

Others will experience certain impacts as well. The delay of licensing approvals will adversely impact those whose benefits flow from the implementation of those licenses. The Department expects the final EIS to show that this rule, as proposed, will maximize benefits to this group and minimize costs. Even a small general shortening of final approval times for licenses can result in extremely large benefits for certain members of these groups. The opening of a new business 1 month earlier than otherwise expected due to an earlier licensing approval, for example, can result in significant ultimate benefits once all the multipliers have been applied.

E. Preliminary conclusion.

The Department's preliminary conclusion is that probable long-term benefits should outweigh probable long-term costs by a factor of at least 10 to 1 and, perhaps, as much as 25 to 1.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: David J. Armacost or Martha L. Seaman
Address: Arizona Department of Environmental Quality
Rule Development Section, M0836A-829
Arizona Department of Environmental Quality
3033 North Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2225; Toll-free within Arizona: (800) 234-5677, Ext. 2225
Fax: (602) 207-2251

10. The time, place, and nature of the proceedings for adoption, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: November 24, 1998
Time: 8:30 a.m.
Location: Northern Regional Office
Arizona Department of Environmental Quality
1515 East Cedar Avenue, Suite F
Flagstaff, Arizona
Nature: Oral proceeding
Date: November 24, 1998
Time: 11 a.m.
Location: Southern Regional Office
Arizona Department of Environmental Quality
Arizona State Office Building, Room 433
400 West Congress
Tucson, Arizona
Nature: Oral proceeding
Date: November 24, 1998
Time: 3 p.m.
Location: Public meeting room 1709
Arizona Department of Environmental Quality
3033 North Central Avenue

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Phoenix, Arizona

Nature: Oral proceeding

The Arizona Department of Environmental Quality (ADEQ) will close the rulemaking record on November 30, 1998, and will include in the record all written comments received by 5 p.m. on that date addressed to the Department at 3033 North Central Avenue, Phoenix, Arizona, 85012. The ADEQ will also include in the rulemaking record all written comments postmarked no later than November 30, 1998, and addressed to the Department at 3033 North Central Avenue, Phoenix, Arizona, 85012.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.
12. Incorporations by reference and their location in the rules:
None.
13. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 1. DEPARTMENT OF ENVIRONMENTAL QUALITY ADMINISTRATION

ARTICLE 5. LICENSING TIME-FRAMES

Section

- R18-1-501. Definitions
R18-1-502. Applicability
R18-1-503. Administrative Completeness Review Time-frame Clock Operation; Administrative Deficiencies; Administrative Completeness
R18-1-504. Substantive Review Time-frame Clock Operation; Requests for Additional Information
R18-1-505. Overall Time-frame Clock Operation
R18-1-506. Time-frame Extension Clock Operation
R18-1-507. Ending of Time-frame Clocks; Licensing Decisions; Lapse; Withdrawal; Notice of Licensing Time-frames Nonapplicability; Ending of Time-frames
R18-1-508. Licensing Time-frames Pre-application Agreements
R18-1-509. Licensing Time-frames Supplemental Request Agreements
R18-1-510. Licensing Time-frames Extension Agreements
R18-1-511. Licensing Time-frames Changed Application Agreements
R18-1-512. Licensing Time-frames Reactivated Agreements
R18-1-513. Licensing Time-frames Opt-in Agreements
R18-1-514. Suspension of Time-frames Pending Payment of Fees or Receipt of Applicant's Signature
R18-1-515. Suspension of Time-frames Due to a Changed Application
R18-1-516. Reassignment of License Category
R18-1-517. Application Lapse and Withdrawal; Lapse Date Extension Request
R18-1-518. Emergencies and Upset Conditions
R18-1-519. Public Hearings
R18-1-520. Notice of Intent to Rely on the Application Components Submitted
R18-1-521. Notice of Intent to Rely on the License Category
R18-1-522. Notice of Change of Applicant's Agent for Receiving Licensing Time-frames Notices
R18-1-523. Refunds, Fee Excusals, and Penalties
R18-1-524. Site Inspections
R18-1-525. Licensing Time-frames; License Tables
Table 1. Class I Air Licenses
Table 2. Class II Air Licenses
Table 3. Open Burning Licenses Issued by the Phoenix

Office

- Table 3-N. Open Burning Licenses Issued by the Northern Regional Office
Table 3-S. Open Burning Licenses Issued by the Southern Regional Office
Table 4. Vehicle Emission Licenses
Table 5. Safe Drinking Water Construction Licenses Issued by the Phoenix Office
Table 5-N. Safe Drinking Water Construction Licenses Issued by the Northern Regional Office
Table 5-S. Safe Drinking Water Construction Licenses Issued by the Southern Regional Office
Table 6. Wastewater Construction Licenses Issued by the Phoenix Office
Table 6-N. Wastewater Construction Licenses Issued by the Northern Regional Office
Table 6-S. Wastewater Construction Licenses Issued by the Southern Regional Office
Table 7. Subdivision Construction Licenses Issued by the Phoenix Office
Table 7-N. Subdivision Construction Licenses Issued by the Northern Regional Office
Table 7-S. Subdivision Construction Licenses Issued by the Southern Regional Office
Table 8. Safe Drinking Water Monitoring and Treatment Licenses
Table 9. Water and Wastewater Facility Operator Licenses
Table 10. Water Quality Licenses
Table 11. Surface Water Licenses
Table 12. Solid Waste Licenses
Table 13. Special Waste Licenses
Table 14. Landfill Licenses
Table 15. This table reserved
Table 16. Waste Tire, Lead Acid Battery, and Used Oil Licenses
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Table 18. Underground Storage Tank Licenses
Table 19. WQARF Remediation Licenses Issued by the Phoenix Office
Table 19-S. WQARF Remediation Licenses Issued by the Southern Regional Office
Table 20. Voluntary Program Remediation Licenses
Table 21. Pollution Prevention Licenses
Table 22. Multi-Program Licenses

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ARTICLE 5. LICENSING TIME-FRAMES

R18-1-501. Definitions

In addition to the definitions provided in A.R.S. § 41-1001, § 41-1072, and A.A.C. R18-1-101, the following definitions apply to this Article:

1. "Administrative completeness" means Department receipt of all application components required by this Article sufficient to allow the Department to issue a notice of administrative completeness under A.R.S. § 41-1074 and thereby end the administrative completeness review time-frame clock and start the substantive review time-frame clock but does not mean statutory administrative completeness.
2. "Administrative completeness review" means clerical verification by the Department that the submitted application components meet the requirements of administrative completeness.
3. "Administrative completeness review time-frame" has the meaning prescribed in A.R.S. § 41-1072(1). The Department interprets this term to mean the entire period after Department receipt of an applicant's first acceptable application component submittal under R18-1-503(A) until the starting of the substantive review time-frame but does not mean a statutory administrative completeness review time-frame.
4. "Administrative completeness review time-frame clock" means the counting and assignment of certain days within the administrative completeness review licensing time-frame under A.R.S. § 41-1074.
5. "Applicant" means the person who applies for a license.
6. "Applicant response" means a written response from the applicant to a Department notice that complies with all the following:
 - a. The response identifies the applicant.
 - b. The response identifies the Department notice.
 - c. The response is addressed to the Department employee identified in the Department notice as the designated recipient of the notice.
 - d. The response contains the information identified in the Department notice.
7. "Application" means a request to the Department to issue a license to the requestor when that request is in writing and made under R18-1-502 and R18-1-503(A).
8. "Application clerk" means a Department employee with authority to receive applications for the specific license identified on the submitted application component or applicant response.
9. "Application component" means a document, other written information, or fee required by statute or rule and submitted to the Department in support of an application.
10. "Complex" means an application category that requires a significant increase in Department resources in excess of standard application proposals in the same category due to the size, novelty, complexity, or technical difficulty expressed in the application proposal.
11. "Day" means business day and excludes Saturdays, Sundays, and state holidays.
12. "Department notification" or "Department notice" means written notification by the Department to an applicant in person or at the mailing or electronic address identified on the application. The Department may notify the applicant at the applicant's electronic address only if the applicant provides that address as part of an application component. The notification is effective:
 - a. If mailed, on the date of its postmark.
 - b. If delivered in person by a Department employee or agent, on the date of delivery.
 - c. If delivered electronically, on the date of delivery to the electronic address.
13. "Department receipt" of an application component or an applicant response means one of the following days, whichever is later:
 - a. If the component or response is handed to an application clerk by the applicant, the day of actual receipt.
 - b. If the component or response is mailed, 5 days after a postmark identifying mailing date.
 - c. If the Department notifies the applicant within 5 days after the date of actual receipt, the day of actual receipt of the component or response.
 - d. If during an application moratorium or time-frame suspension declared under R18-1-518, the day after the moratorium or suspension ends.
14. "Electronic address" means either a telephone number for facsimile document communication (fax) or an electronic mail (e-mail) address. "Electronic address" does not mean a telephone number for voice or TDD (telephone device for the deaf) communication.
15. "Fee excusal" means the sanction imposed on a Department fund under A.R.S. § 41-1077(A) that requires the Department to excuse further fees required from the applicant by the Department.
16. "Initial fee" means that part of the fee required to be submitted under R18-1-503(A).
17. "Lapsed application" means an application that has ceased to be subject to this Article due to the applicant's failure to submit a timely response to a Department notification made under this Article.
18. "License category" means a numbered category identified on a license table.
19. "License table" means a table within this Article.
20. "Licensing time-frame" means any of the time-frames identified in A.R.S. §§ 41-1072 through 41-1078, the operation of which require the Department to report its compliance level for overall time-frames to the Governor's Regulatory Review Council under A.R.S. § 41-1078(A).
21. "Licensing time-frame agreement" means an agreement made under any of the sections R18-1-508 through R18-1-513.
22. "Overall time-frame" has the meaning prescribed in A.R.S. § 41-1072(2). The Department interprets this term to mean the entire period from Department receipt of an applicant's first acceptable application component submittal under R18-1-503(A) until the Department determines whether to grant or deny the license.
23. "Overall time-frame clock" means the counting and assignment of days within the overall licensing time-frame under A.R.S. § 41-1076.
24. "Penalty" means the sanction imposed on a Department fund under A.R.S. § 41-1077(B).
25. "Phased application" means an application process pursuant to an agreement between an applicant and the Department that allows the applicant to submit application components in two or more phases with each phase providing for administrative completeness review.

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26. "Pre-application" means the period prior to Department receipt of an applicant's first acceptable application component submittal under R18-1-503(A).
27. "Presumptive administrative completeness" means the expiration of the administrative completeness review time-frame clock and the automatic starting of the substantive review time-frame clock under A.R.S. § 41-1074(C) if the Department fails to issue a notice of administrative completeness under A.R.S. § 41-1074(A).
28. "Presumptive overall time-frame" means the sum of the days shown for the administrative completeness review and substantive review time-frames on the license tables for that license category and may be different from the actual overall time-frame because it does not include a lengthening of the time-frame due to a time-frame extension agreement or a shortening of the time-frame due to early starting of the substantive review time-frame caused by the issuance of a notice of administrative completeness.
29. "Presumptive substantive review time-frame" means the days shown for the substantive review time-frame on the license tables for a license category.
30. "Refund" means the sanction imposed on a Department fund under A.R.S. § 41-1077(A) that requires the Department to refund fees already paid by the applicant.
31. "Sanction" means the imposition of a refund, fee excusal, or penalty under A.R.S. § 41-1077.
32. "Site inspection" means an inspection performed by the Department under A.R.S. § 41-1009 as a required component of an application for a license shown on the license tables.
33. "Statutory administrative completeness" means Department receipt of all application components required by a statute other than A.R.S. §§ 41-1072 through 41-1078 and sufficient to allow the Department to determine that the application is administratively complete under that statute.
34. "Statutory administrative completeness time-frame" means the entire period identified in a statute other than A.R.S. §§ 41-1072 through 41-1078 during which the Department shall complete the statutory administrative completeness review.
35. "Statutory overall time-frame" means the entire period identified in a statute other than A.R.S. §§ 41-1072 through 41-1078 during which the Department shall grant or deny a license.
36. "Substantive review" means the qualitative evaluation by the Department of application components and does not include clerical verification of the components nor does it include Department investigations resulting from reporting or notification requirements.
37. "Substantive review time-frame" has the meaning prescribed in A.R.S. § 41-1072(3). The Department interprets this term to mean the entire period after the administrative completeness review time-frame until either the Department makes a licensing decision or the applicant causes the time-frame clocks to end under R18-1-507. The substantive review time-frame includes time-frame clock suspension and time-frame extension periods.
38. "Substantive review time-frame clock" means the counting and assignment of certain days within the substantive review licensing time-frame under A.R.S. § 41-1075(A).
39. "Time-frame extension" means the entire period after the overall time-frame would otherwise expire and during which an application is not subject to sanctions. The substantive review and overall time-frames continue in effect and do not expire during the time-frame extension.
40. "Time-frame extension clock" means the counting and assignment of certain days within a licensing time-frame extension under A.R.S. § 41-1075(B).
41. "Withdrawn application" means an application that has ceased to be subject to this Article due to the applicant's request that the Department cease all consideration of the application under R18-1-517(B). An applicant's ability to withdraw an application is not governed by this Article.
- R18-1-502. Applicability**
- A.** This Article does not apply to any of the following:
1. A license not requiring an application.
 2. A license conferred by a prospective licensee's notification to the Department of an event, activity, or facility and that is not conferred by the Department in the form of a written license issued to the notifier in response to the notification.
 3. A license issued at the Department's initiative.
 4. A license granted by default if the Department does not make a licensing decision within a time identified in statute or rule.
 5. A license not identified in a category shown on the license tables.
 6. A license that requires one or more application components pursuant to an enforcement, abatement, or compliance order or consent agreement or a notice of violation in addition to those shown for a license category shown on the license tables when submission of the component or components is required before the Department may make a decision to grant the license.
 7. A license issued by a political subdivision of the state when acting under an agreement with the Department made pursuant to A.R.S. § 49-107 or A.R.S. Title 11, Chapter 7, Article 3.
 8. A license application for which the applicant is not the prospective licensee.
 9. Compliance activity by licensees in conformance with an issued license except for license renewal or revision activity.
 10. Contractual activity under A.R.S. § 41-1005(A)(16).
 11. Activity that leads to the revocation, suspension, annulment, or withdrawal of a license.
 12. A license for which Department receipt of the first acceptable application component submittal under R18-1-503(A) occurs before January 1, 1999.
- B.** After an application becomes subject to this Article, it remains subject to the terms of the original license category in which it was classified unless the application lapses, is withdrawn, is altered by a licensing time-frames agreement, or is changed under R18-1-516. If altered by a licensing time-frames agreement, the terms of the original license category are modified only to the extent expressly stated in the licensing time-frames agreement. If this Article is amended after an application complies with R18-1-503(A), the application will continue to be subject to the terms of the original license category and not to subsequent amendments made to this Article. The terms of a license category include all provisions of this Article in effect on the date an applicant complies with R18-1-503(A).

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- C. If an Arizona statute or other rule in this Title conflicts with this Article, the statute or other rule governs except that only this Article determines whether an applicant is entitled to a refund and fee excusal due to Department failure to notify an applicant of a licensing decision within a licensing time-frame under A.R.S. § 41-1077(A).

R18-1-503. Administrative Completeness Review Time-frame Clock Operation: Administrative Completeness

- A. The administrative completeness review time-frame clock for an application begins on the day of Department receipt of the first acceptable component submittal in support of the application. To start the clock, the submittal shall contain all the following:
1. Identification of the applicant.
 2. If the license is for a facility, identification of the facility.
 3. Name and mailing address of the applicant or applicant's agent authorized to receive all notices issued by the Department under this Article.
 4. Identification of the license category in which the application is to be processed.
 5. Completed Department application form if required for the license category.
 6. Initial fee if required for the license category.
 7. All application components required by statute or rule and necessary or the Department to make a licensing decision under R18-1-507(A).
- B. The administrative completeness review time-frame clock for an application ends on the earlier of the following days:
1. The day the Department notifies the applicant that the application is administratively complete under A.R.S. § 41-1074.
 2. If the Department does not notify the applicant that the application is administratively complete under A.R.S. § 41-1074, the last day shown for the administrative completeness review time-frame for the relevant license category on the License Tables.
- C. The Department may notify the applicant to respond to 1 or more notices of administrative deficiencies during the administrative completeness review time-frame.
- D. If the applicant fails to submit the missing information identified on a list of specific administrative deficiencies included with the notice, the application shall lapse by the lapse date identified in the notice or, if no lapse date is identified, 2 months after notification.
- E. If a notice of administrative deficiencies states that the Department is suspending the time-frame clocks until the applicant supplies the missing information identified on a comprehensive list of specific deficiencies included with the notice, the administrative completeness review time-frame clock suspends on the day of notification.
- F. If suspended, the administrative completeness review time-frame clock resumes upon Department receipt of the missing information identified on the comprehensive list of specific deficiencies except when the Department notifies the applicant within 10 days after receipt that not all of the missing information was supplied, in which case the time-frame clock remains suspended from the time of the first notice under subsection (E) of this Section until the missing information is supplied to the Department. If the applicant fails to submit the missing information identified in this subsection (F) notice, the application shall lapse by the lapse date identified in the notice or, if no lapse date is identified, 2 months after notification.

- G. If the Department determines that an applicant has submitted all application components required by the license tables for that license category within the administrative completeness review time-frame, the Department shall notify the applicant that the application is administratively complete under A.R.S. § 41-1074.

H. If presumptive administrative completeness occurs:

1. Further notices of administrative deficiencies issued under subsection (C) or (E) of this Section will not suspend the substantive review or overall time-frame clocks.
2. The Department does not waive the requirement for the applicant to submit all application components necessary for the Department to determine whether to grant the license, and
3. Nothing in this Article requires the Department to grant a license.

- I. The administrative completeness review time-frame clock also shall suspend and resume under R18-1-514 (pending payment of fees), R18-1-515 (due to changed applications), R18-1-518 (emergencies and upset conditions), R18-1-520 (notice of intent to rely on the application components submitted), and R18-1-521 (notice of intent to rely on the license category).

R18-1-504. Substantive Review Time-frame Clock Operation: Requests for Additional Information

- A. The substantive review time-frame clock for an application begins on one of the following days:
1. If the Department notifies the applicant that the application is administratively complete before the expiration of the administrative completeness review time-frame clock, 1 day after notification.
 2. If the Department does not notify the applicant that the application is administratively complete before the expiration of the administrative completeness review time-frame clock, 1 day after expiration.
- B. The substantive review time-frame clock for an application ends on the earlier of the following days:
1. The day of Department notification that it has made a licensing decision under A.R.S. § 41-1076 and R18-1-507.
 2. The last day shown for the substantive review time-frame for the license category on the license tables.
- C. The Department may notify the applicant to respond to one or more requests for additional information or comprehensive requests for additional information during the substantive review time-frame.
- D. If the applicant fails to submit the missing information identified in a request for additional information or a comprehensive request for additional information, the application shall lapse by the lapse date identified in the request or, if no lapse date is identified, 2 months after notification.
- E. If a comprehensive request states that the Department is suspending the time-frame clock until the applicant supplies the missing information identified in the comprehensive request for additional information, the substantive review time-frame clock suspends on the day of Department notification. The Department may issue only one comprehensive request that suspends the substantive review time-frame clock under A.R.S. § 41-1075(A).
- F. The substantive review time-frame clock resumes upon Department receipt of the missing information identified in the comprehensive request except if the Department notifies the applicant within 15 days after receipt that not all of the missing information was supplied, in which case the time-

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frame clock remains suspended until the applicant supplies the missing information to the Department. If the applicant fails to submit the missing information identified in this subsection (F) notice, the application shall lapse by the lapse date identified in the notice or, if no lapse date is identified, 2 months after notification.

- G. The substantive review time-frame clock also shall suspend and resume under R18-1-514 (pending payment of fees), R18-1-515 (due to changed applications), R18-1-518 (emergencies and upset conditions), R18-1-520 (notice of intent to rely on the application components submitted), and R18-1-521 (notice of intent to rely upon the license category).

R18-1-505. Overall Time-frame Clock Operation

- A. The overall time-frame clock for an application begins on the same day as the administrative completeness review time-frame clock.
- B. The overall time-frame clock suspends and resumes in concert with the administrative completeness, substantive review, and extension time-frame clocks.
- C. The duration of the overall time-frame clock equals the sum of all the following days unless altered by R18-1-508 (licensing time-frames pre-application agreements), R18-1-511 (changed licensing time-frames agreements), R18-1-512 (reactivated licensing time-frames agreements), or R18-1-513 (licensing time-frames opt-in agreements):
1. The lesser of:
 - a. The number of days shown for the administrative completeness review time-frame on the license tables, or
 - b. The actual number of days for the administrative completeness review time-frame if the Department notifies the applicant under R18-1-503(G) that the application is administratively complete before the expiration of the administrative completeness review time-frame;
 2. The lesser of:
 - a. The number of days shown for the substantive review time-frame on the license tables,
 - b. The actual number of days for the substantive review time-frame if the Department notifies the applicant of a licensing decision under R18-1-504(B)(1), or
 - c. The actual number of days for the substantive review time-frame if the applicant causes the time-frame clocks to end under R18-1-507(D); and
 3. The number of days added by one or more licensing time-frames extension agreements under R18-1-510.

R18-1-506. Time-frame Extension Clock Operation

- A. If created by a licensing time-frames extension agreement under R18-1-510, the time-frame extension clock for an application begins 1 day after the substantive review and overall time-frame clocks would otherwise expire and operates as if they were still in operation.
- B. The time-frame extension clock for an application ends on one of the following days, whichever is earlier:
1. The day of Department notification that it has made a licensing decision under A.R.S. § 41-1076 and R18-1-507.
 2. The day shown for the expiration of the time-frame extension identified in the time-frame extension agreement.
- C. The Department may notify an applicant to respond to requests for additional information and comprehensive

requests for additional information during the time-frame extension on the same terms as prescribed in R18-1-504.

- D. An applicant and the Department may enter into one or more licensing time-frames supplemental request agreements during the time-frame extension on the same terms as prescribed in R18-1-509.
- E. The time-frame extension clock shall also suspend and resume under R18-1-514 (pending payment of fees or receipt of signature), R18-1-515 (changed licensing time-frames), R18-1-518 (emergencies and upset conditions), R18-1-520 (notice of intent to rely on the application components submitted), and R18-1-521 (notice of intent to rely on the license category).

R18-1-507. Ending of Time-frame Clocks; Licensing Decisions; Lapse; Withdrawal; Notice of Licensing Time-frames Nonapplicability; Ending of Time-frames

- A. Department notification of the following licensing decisions is sufficient to end all licensing time-frame clocks for an application:
1. Unconditional grant of the license, meaning that the Department did not add conditions not requested or agreed to by the applicant.
 2. Conditional grant of the license, meaning that the Department added conditions not requested by, or agreed to by, the applicant.
 3. Denial of the license.
- B. Department notification of a conditional grant of a license under subsection (A) of this Section shall include both the following:
1. An explanation of the applicant's right to appeal the action under A.R.S. §§ 41-1076(2) and 41-1092.03(A).
 2. An explanation of the applicant's right to request an informal settlement conference under A.R.S. §§ 41-1092.03(A) and 41-1092.06.
- C. The Department may deny a license under subsection (A) of this Section if the applicant submits incomplete or inaccurate information in response to a notice of administrative deficiencies under R18-1-503, a request for additional information or a comprehensive request for additional information under R18-1-504, a supplemental request for additional information under R18-1-509, or any other deficiency found in the application. Department notice of the denial of a license shall include all the following:
1. A justification for the denial under A.R.S. § 41-1076(1).
 2. An explanation of the applicant's right to appeal the action under A.R.S. §§ 41-1076(2) and 41-1092.03(A).
 3. An explanation of the applicant's right to request an informal settlement conference under A.R.S. §§ 41-1092.03(A) and 41-1092.06.
- D. The following actions by the applicant are sufficient to end all time-frame clocks for an application:
1. Allowing the application to lapse by failing to submit a timely response to Department notification under this Article.
 2. Withdrawing the application under R18-1-517(B).
 3. Entering into a changed licensing time-frames agreement under R18-1-511.
- E. If the Department determines during its review of an application that the application is not subject to this Article, the Department shall so notify the applicant. Department notification shall cause all time-frame clocks for that application to end.
- F. The ending of time-frame clocks under this Section also shall end all time-frames.

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R18-1-508. Licensing Time-frames Pre-application Agreements

- A.** An applicant and the Department may enter into a licensing time-frames pre-application agreement to allow the applicant to do one or more of the following:
1. Submit certain application components in one or more phases during the substantive review time-frame.
 2. Coordinate the licensing time-frames requirements of this Article with expedited application review by a private consultant under contract with the Department for that purpose.
 3. Coordinate the licensing time-frames requirements of this Article with an applicant's requirements to apply for and obtain other approvals reasonably related to the subject matter of the application.
- B.** A licensing time-frames pre-application agreement shall contain at least the following terms:
1. Unless otherwise specified in the agreement, all requirements of this Article remain in effect.
 2. A waiver under A.R.S. § 41-1004 by the applicant of its rights to the number of time-frame days identified on the license tables in consideration of the Department allowing the applicant to enter into a licensing time-frames pre-application agreement.
 3. Identification of application components.
 4. The number of days for the administrative completeness review time-frame and the substantive review time-frame. Time spent in pre-application review shall not count toward the running of any of the time-frame clocks.
 5. A fee adjustment, if appropriate.
 6. Identification of the license category within which the Department shall process the application.
- C.** A licensing time-frames pre-application agreement allowing the applicant to submit certain application components in one or more phases during the substantive review time-frame shall contain at least the terms identified in subsection (B) of this Section and the following terms:
1. The overall time-frame shall not be less than the presumptive overall time-frame identified in the base license category on the license tables.
 2. The administrative completeness review time-frame identified in the base license category on the license tables shall apply only to the first application phase.
 3. The applicant may submit components otherwise required for administrative completeness in subsequent phases during the substantive review time-frame only to the extent that the agreement specifies deadlines for each subsequent application phase and identifies the application components required in each subsequent phase. The Department may notify the applicant to respond to a notice of administrative deficiencies within 15 days after each subsequent submittal or the deadline identified in the agreement for each subsequent phased application component submittal. If the applicant fails to submit the missing information identified in the notice, the application shall lapse by the lapse date identified in the notice or, if no lapse date is identified, 2 months after notification.
 4. The Department may suspend the time-frame clocks once in each application phase in response to a comprehensive request under R18-1-504.
- D.** The Department shall consider all the following factors when determining whether to enter into a licensing time-frames pre-application agreement:

1. The complexity of the licensing subject matter. The Department shall not enter into an agreement if the presumptive substantive review time-frame is less than 90 days.
2. The resources of the Department. The Department shall not enter into an agreement if the Department determines that either the negotiation of the agreement or the terms of the agreement are likely to require the Department to expend resources to the significant detriment of other applicants.
3. The impact on public health and safety or the environment. The Department shall not enter into an agreement if the Department determines that the terms of the agreement are likely to cause a significant increase or change in the nature of the potential effects of the facility or activity to be governed by the license on public health and safety or the environment.

R18-1-509. Licensing Time-frames Supplemental Request Agreements

- A.** An applicant and the Department may enter into one or more licensing time-frames supplemental request agreements to allow the suspension of the relevant substantive review, overall, and extension time-frame clocks pending a response from the applicant to a supplemental request for additional information under A.R.S. § 41-1075(A). A request for additional time alone is not a valid justification for a supplemental request agreement.
- B.** A licensing time-frames supplemental request agreement shall contain at least the following terms:
1. Unless otherwise specified in the agreement, all requirements of this Article remain in effect.
 2. A list of the additional information requested.
 3. The substantive review, overall, and extension time-frame clocks as appropriate shall suspend and resume under Sections R18-1-504 through R18-1-506.
 4. If the applicant fails to submit the missing information identified in the agreement, the application shall lapse by the lapse date identified in the agreement or, if no lapse date is identified, 2 months after the effective date of the agreement.

R18-1-510. Licensing Time-frames Extension Agreements

- A.** An applicant and the Department may enter into one or more time-frames extension agreements to extend the substantive review and overall time-frames under A.R.S. § 41-1075(B).
- B.** The combined total of all time-frames extension agreements may extend the time-frames no more than 25% of the number of days beyond the presumptive overall time-frame or, if identified as a fixed number in an R18-1-508 pre-application agreement, the presumptive overall time-frame in that agreement. Calculations that result in fractions of a day shall be rounded to the nearest day.
- C.** A time-frames extension agreement shall contain at least the following terms:
1. Unless specified otherwise in the agreement, all requirements of this Article remain in effect.
 2. The number of time-frame extension days.
 3. The agreement creates a time-frame extension clock that operates under R18-1-506.

R18-1-511. Licensing Time-frames Changed Application Agreements

- A.** An applicant and the Department may enter into a licensing time-frames agreement to allow the applicant to change information previously submitted in support of a license application and to supersede the time-frames of that applica-

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tion with new time-frames. A changed licensing time-frames agreement causes all time-frame clocks on the superseded application to end under R18-1-507(D) and creates a new set of time-frame clocks that operates under the agreement.

B. A changed licensing time-frames agreement shall contain at least the following terms:

1. Unless specified otherwise in the agreement, all requirements of this Article remain in effect.
2. A waiver under A.R.S. § 41-1004 by the applicant of its rights to the number of time-frame days identified on the license tables in consideration of the Department allowing the applicant to change the information submitted in support of a changed application.
3. Identification of application components required in support of the changed application.
4. The number of time-frame days applicable to the changed application.
5. A fee adjustment, if appropriate.
6. Identification of the license category within which the changed application shall be processed.

C. The Department shall consider all the following factors when determining whether to enter into a changed licensing time-frames agreement:

1. The complexity of the licensing subject matter. The Department shall not enter into an agreement if the presumptive substantive review time-frame is less than 30 days.
2. The resources of the Department. The Department shall not enter into an agreement if the Department determines that either the negotiation of the agreement or the terms of the agreement are likely to require the Department to expend resources to the significant detriment of other applicants.
3. The impact on public health and safety or the environment. The Department shall not enter into an agreement if the Department determines that the terms of the agreement are likely to cause a significant increase or change in the nature of the potential effects of the facility or activity to be governed by the license on public health and safety or the environment.

R18-1-512. Licensing Time-frames Reactivated Agreements

A. An applicant and the Department may enter into an agreement to allow the applicant to reactivate lapsed time-frames on a pending application. A reactivated licensing time-frames agreement creates a new set of time-frame clocks that operates under the agreement.

B. A reactivated licensing time-frames agreement shall contain at least the following terms:

1. Unless specified otherwise in the agreement, all requirements of this Article remain in effect.
2. A waiver under A.R.S. § 41-1004 by the applicant of its rights to the number of time-frame days identified on the license tables in consideration of the Department allowing the applicant to reactivate the application.
3. Identification of application components required in support of the reactivated application.
4. The number of time-frame days applicable to the reactivated application.
5. A fee adjustment, if appropriate.
6. Identification of the license category within which the reactivated application shall be processed.

C. The Department shall consider all the following factors when determining whether to enter into a reactivated licensing time-frames agreement:

1. The complexity of the licensing subject matter. The Department shall not enter into an agreement if the presumptive substantive review time-frame is less than 30 days.
2. The resources of the Department. The Department shall not enter into an agreement if the Department determines that either the negotiation of the agreement or the terms of the agreement are likely to require the Department to expend resources to the significant detriment of other applicants.
3. The impact on public health and safety or the environment. The Department shall not enter into an agreement if the Department determines that the terms of the agreement are likely to cause a significant increase or change in the nature of the potential effects of the facility or activity to be governed by the license on public health and safety or the environment.

R18-1-513. Licensing Time-frames Opt-in Agreements

A. An applicant and the Department may enter into an agreement to make an application subject to this Article when that application is otherwise exempt. An opt-in agreement creates a set of time-frame clocks that operates under the agreement.

B. A licensing time-frames opt-in agreement shall contain at least the following terms:

1. Unless otherwise specified in the agreement, all requirements of this Article apply to the application.
2. Identification of the license category within which the application shall be processed.
3. Identification of application components required in support of the application.
4. The number of time-frame days applicable to the application.
5. A fee adjustment, if appropriate.

C. A licensing time-frames opt-in agreement may allow an applicant to submit certain application components in one or more phases during the substantive review time-frame under R18-1-508(C).

D. The Department shall consider all the following factors when determining whether to enter into a licensing time-frames opt-in agreement:

1. The complexity of the licensing subject matter. The Department shall not enter into an agreement if the time set for the substantive review time-frame clock is less than 90 days.
2. The resources of the Department. The Department shall not enter into an agreement if the Department determines that either the negotiation of the agreement or the terms of the agreement are likely to require the Department to expend resources to the significant detriment of other applicants.
3. The impact on public health and safety or the environment. The Department shall not enter into an agreement if the Department determines that the terms of the agreement are likely to cause a significant increase or change in the nature of the potential effects of the facility or activity to be governed by the license on public health and safety or the environment.

R18-1-514. Suspension of Time-frames Pending Payment of Fees or Receipt of Applicant's Signature

A. If a check or other form of payment of an application fee is returned for insufficient funds or if any payment due on the application is in any other manner prevented, the time-frame clocks shall suspend on the date the Department learns of the payment failure. Upon suspension, the Department shall

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notify the applicant of the suspension. If the applicant fails to submit a replacement check or other form of payment to the Department within 1 month of Department notification, the application shall lapse. If not already lapsed, the time-frame clocks shall resume upon Department notification that the Department has verified payment.

- B.** If an application has unpaid fees due at the time the Department makes a licensing decision on the application, Department notification of the decision shall suspend the time-frame clocks. Thereafter, upon Department receipt of full payment, all time-frames shall end. A decision may include a condition that the license is not effective until payment in full is made. If the applicant fails to remit full payment to the Department after Department notification of the amount due, the application shall lapse by the lapse date identified in the notice or, if no lapse date is identified, 2 months after notification.
- C.** If the Department requires the applicant's signature after the application review is substantially complete but prior to the Department making a licensing decision, the time-frame clocks shall suspend on the date the Department notifies the applicant that the signature is required. If the applicant fails to comply with the notice within 1 month of Department notification, the application shall lapse. If not already lapsed, the time-frame clocks shall resume upon Department receipt of the applicant's signature as required in the notice.

R18-1-515. Suspension of Time-frames Due to a Changed Application

- A.** The Department may determine that an applicant has changed an application if an application component contains information that results in any of the following:
1. A significant change to previous application components submitted in support of the application.
 2. A significant increase or change to previous application components in the nature of the potential effects of the proposed project or activity on public health and safety or the environment.
- B.** If the Department makes a determination under subsection (A) of this Section, the Department may notify the applicant. If the Department notifies the applicant, the time-frame clocks suspend and the application shall lapse unless the applicant informs the Department of the applicant's decision to do one of the following within 1 month of Department notification:
1. Submit a notice of intent to rely on the application components submitted under R18-1-205 and R18-1-520.
 2. Submit a notice of intent to enter into negotiations with the Department for a changed application agreement under R18-1-511.
 3. Submit a notice withdrawing the component containing the information changing the application, in which case the time-frame clocks remain suspended until the applicant submits a replacement component that does not result in another determination under subsection (A) of this Section. If the applicant then fails to submit a replacement component, the application shall lapse by the lapse date identified in the notice under subsection (B) of this Section or, if no lapse date is identified, 2 months after notification.

R18-1-516. Reassignment of License Category

- A.** If a public hearing or public meeting is requested for an application for a license that requires the Department to hold a public hearing or public meeting on a proposed licensing decision if requested, the Department shall reassign the appli-

cation from a license category not providing for a public hearing or public meeting to the corresponding category so providing. The Department shall notify the applicant of the change in the license category.

- B.** The Department may reassign an application to a different category if an evaluation of the application components indicates that a change is necessary in the category in which the application is classified including a change from a standard to a complex category if such categories are shown on the license tables for that license type. The Department shall notify the applicant of the change in the license category at which time the reassignment shall take effect. After receiving Department notification, the applicant may submit an R18-1-521 notice of intent to rely on the license category in effect before Department notification.
- C.** Reassignment to a new license category under this Section means only that the time-frame clocks for the application expire on the days shown for the new license category rather than the previous category.

R18-1-517. Application Lapse and Withdrawal: Lapse Date Extension Request

- A.** A specific lapse date in a Department notice is one that supersedes the standard 2 month lapse date for Department notices under this Article. If the Department includes a specific lapse date in a Department notice, the Department shall determine the lapse date based on a reasonable time after taking into consideration the nature of the deficiency giving rise to the notice.
- B.** An applicant may allow an application to lapse. Lapse affects only the applicability of this Article to an application and does not prohibit the Department from continuing review of an application.
- C.** If allowed to do so by the Department, an applicant may withdraw an application prior to a decision by the Department to grant or deny the license.
- D.** Lapse or withdrawal of an application causes all time-frame clocks to end under R18-1-507(D).
- E.** If the request is received by the Department before a lapse date, an applicant may request an extension of that lapse date. A lapse extension request shall include all of the following information:
1. Identification of the applicant.
 2. Identification of the application.
 3. Identification and date of the Department notification or request giving rise to the lapse date.
 4. The reason why the applicant is not able to comply with the lapse date.
 5. Identification of a new lapse date.
 6. The reason why the new lapse date will provide adequate time for the applicant to comply.
- F.** The Department may grant a timely lapse date extension request if all the following conditions are met:
1. The extension will not be so long that resuming application processing at the later date is likely to require a significant increase in Department resources over the resources required to resume processing on the noticed lapse date.
 2. The extension will not be so long that resuming application processing at the later date is likely to cause a significant increase or change in the nature of the potential effects of the facility or activity to be governed by the license on public health and safety or the environment.
 3. The applicant makes a showing that it is acting in good faith to comply with this Article.

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- G. The Department may grant a lapse extension request with a new lapse date different than the one requested by the applicant in the request.
- H. The denial of a lapse date extension request means that the lapse date in effect before the request remains in effect.
- I. The grant of a lapse date extension request after the lapse date in effect before the request means that the new lapse date applies and the application did not lapse on the earlier date.

R18-1-518. Emergencies and Upset Conditions

- A. The Director may declare a moratorium on the starting of time-frame clocks for new applications or may suspend all time-frame clocks for one or more license categories identified on the license tables upon a determination that the starting of time-frame clocks for new applications or the continued running of time-frame clocks on existing applications in that license category is likely to result in sanctions for those applications due to any of the following:

- 1. Lack of Department resources to process applications in the same license category if that lack is due to events not reasonably within the control of the Department.
- 2. Emergencies and upset conditions including:
 - a. Diversion of Department resources to respond to pollution prevention emergency activity.
 - b. Loss of use of premises, or
 - c. Lack of access to a site inspection location due to weather or other natural conditions.

- B. A declaration of a time-frame clock moratorium or suspension under subsection (A) of this Section shall include all the following:

- 1. The reason for the time-frame clock moratorium or suspension.
- 2. Identification of the license categories subject to the time-frame clock moratorium or suspension.
- 3. If relevant, restriction of the declaration to one or more application review or site inspection locations.
- 4. Expiration of the time-frame clock moratorium or suspension by a date certain.

- C. The Director may revoke declarations or issue successive declarations.

- D. A declaration of a time-frame clock moratorium or suspension under subsection (A) of this Section affects only the operation of the time-frame clocks and does not prohibit the Department from acceptance or continued review of license applications.

R18-1-519. Public Hearings

- A. Public hearings and public meetings held by the Department and public notices required for those hearings and meetings required by law to occur before a decision by the Department to grant a license shall occur during the substantive review time-frame.
- B. The suspension or expiration of the substantive review time-frame clock does not invalidate public hearings, public meetings, or public notice periods.

R18-1-520. Notice of Intent To Rely on the Application Components As Submitted

- A. An applicant, instead of submitting some or all of the application components identified by the Department, may submit a R18-1-205 notice of intent to rely on the application components as submitted in response to either of the following:
 - 1. Receiving a notice of administrative deficiencies issued by the Department during the administrative completeness review time-frame.

- 2. Receiving a request for additional information, a comprehensive request for additional information, or a supplemental request for additional information issued by the Department during the substantive review time-frame.

- B. Upon receiving of a timely R18-1-205 notice, the Department shall suspend the time-frame clocks.

- C. A decision by the Department under R18-1-205 to rescind or modify the identification of the application component or components objected to by the applicant, if made, shall be made within 15 days after Department receipt of the applicant's R18-1-205 notice and:

- 1. If made as a decision to rescind the identification of all application components complained of in the notice, shall resume or continue all time-frame clocks or
- 2. If made as a decision to modify the identification of one or more application components complained of in the notice, shall reset all time-frame clocks and lapse provisions to the times applicable to the actions identified in subsections (A)(1) or (A)(2) of this Section.

- D. If, after 15 days after Department receipt of the applicant's R18-1-205 notice, the Department has not notified the applicant of a decision to rescind or modify the identification of the application component or components complained of in the notice, the time-frame clocks shall resume.

R18-1-521. Notice of Intent To Rely on the License Category

- A. An applicant, upon Department notification that the Department has changed the license category under R18-1-516, may submit a notice of intent to rely on the license category in effect before the Department notification.

- B. A notice of intent to rely on the license category shall include all of the following:

- 1. Identification of the applicant.
- 2. Identification of the license application.
- 3. Identification of the date of the Department notice.
- 4. A statement that the applicant intends to rely on the license category in effect before Department notification of the R18-1-516 license category change as the basis upon which the Department shall determine whether to grant or deny the license.

- C. Upon receiving a timely notice of intent to rely on the license category, the Department shall suspend the time-frame clocks and do one of the following:

- 1. Rescind the change under subsection (E) of this Section.
- 2. Make a licensing decision under R18-1-507(A).

- D. A timely notice of intent to rely on the license category is one submitted within the time identified on the R18-1-516 Department notification or, if the notification does not specify a time, within 1 month after the notification.

- E. Department notification of a decision to rescind the change in the license category, if made, shall be made within 15 days after the Department receives the applicant's notice of intent to rely on the license category and shall reset all time-frame clocks and lapse provisions, if applicable, to the times applicable at the time of the R18-1-516 Department notification.

- F. If, after 15 days after the Department receives the applicant's notice of intent to rely on the license category, the Department has not notified the applicant of a decision under subsection (C) of this Section, the license category shall revert to the category in effect before the R18-1-516 Department notification with the same effect on the time-frame clocks as described in subsection (E) of this Section.

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R18-1-522. Notice of Change of Applicant's Agent for Receiving Licensing Time-frames Notices

- A.** An applicant may change the designation of its agent identified under R18-1-503(A)(2) for receiving Department licensing time-frames notification.
- B.** In order to change the designation of the agent, the applicant shall submit a notice that complies with all the following.
1. Identification of the applicant.
 2. Identification of the application.
 3. Name and mailing address of the current agent authorized to receive all notices issued by the Department under this Article.
 4. Name and mailing address of the new agent authorized to receive all notices issued by the Department under this Article.
 5. Date when the applicant's authorization of the new agent will be effective.
 6. Certification by the applicant that the information given under this subsection is true.
- C.** Upon the Department receiving the applicant's notice under subsection (B) of this Section, the Department shall notify the applicant of the date of receipt. The effective date of the change of applicant's agent shall not be less than 3 days after the Department receives the notice.

R18-1-523. Refunds, Fee Excusals, and Penalties

- A.** An application shall be subject to sanctions under A.R.S. § 41-1077 only if the application is governed by this Article and requires a fee that is deposited in a Department fund. In addition, an application shall be subject to penalties under A.R.S. § 41-1077(B) only if it is subject to a substantive review time-frame as indicated on the license tables. A lapsed application or an application withdrawn before the expiration of the substantive review or overall time-frame clocks, whichever is later, is not subject to sanctions.
- B.** The Department shall make a refund and fee excusal for an application if it determines both of the following:
1. The later of the overall time-frame or time-frame extension clocks for that application expired prior to Department notification of a licensing decision under R18-1-507(A).
 2. The applicant is the prospective licensee of the application.
- C.** The Department shall issue a refund and approve a fee excusal within 15 days after making a determination that a refund and fee excusal is required.
- D.** A refund and fee excusal is limited to the specific application giving rise to the refund and fee excusal and does not include refunds or payment excusals for services requested by the

applicant beyond the scope of the application. A refund is limited to the amount actually received from the applicant by the Department for the specific application giving rise to the refund and shall not include interest.

- E.** The Department shall pay to the state general fund a penalty for each application for which a determination has been made that a refund is due under subsection (C) of this Section. Only such applications outstanding on the last calendar day of each month are subject to a penalty. The Department shall deposit the penalty in the state general fund within 4 months of incurring the penalty.
- F.** The fee subject to a penalty for an application that is still accumulating review charges at the time the penalty is due shall be determined retrospectively based on what the total fee would have been had no sanctions been imposed.

R18-9-524. Site Inspections

- A.** If a site inspection is a required application component for a license category, an applicant complies with the requirement to submit a site inspection application component if either of the following is met:
1. The applicant makes all necessary areas of a site available for inspection by the Department at a mutually agreed-upon time and for the period of time necessary for the Department to complete the site inspection.
 2. The Department determines that the conditions of a license are such that a site inspection will provide no additional required information in order for the Department to make a licensing decision under R18-1-507(A)(1) or R18-1-507(A)(2).
- B.** If made, a site inspection shall be performed under A.R.S. § 41-1009. The purpose of a site inspection application component is to allow the Department to identify what site specific facts may be determinative of required license conditions in order to make a licensing decision under R18-1-507(A)(1) or R18-1-507(A)(2).
- C.** The Department shall prepare an inspection report under A.R.S. § 41-1009(D) for every site inspection made. The inspection report shall state both of the following:
1. The Department's action resulting from the inspection is completed.
 2. Whether the applicant complied with subsection (A)(1) of this Section.

R18-1-525. Licensing Time-frames: License Tables

The administrative completeness review time-frame clock days, the substantive review time-frame clock days, and the references to application components for each license application category subject to this Article are as shown on the license tables.

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Table 1: Class I Air Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACR TF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Individual Class I prevention of significant deterioration (PSD) licenses: | | | | |
| 1. <u>Standard Class I PSD major source permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-406.</u> | <u>41</u> | <u>219</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, and R18-2-406.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 2. <u>Standard Class I PSD major source permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-406.</u> | <u>41</u> | <u>251</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, and R18-2-406.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 3. <u>Complex Class I PSD major source permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-406.</u> | <u>41</u> | <u>281</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, and R18-2-406.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 4. <u>Complex Class I PSD major source permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-406.</u> | <u>41</u> | <u>313</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, and R18-2-406.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group II: Individual Class I major new source review (NSR) licenses: | | | | |
| 5. <u>Standard Class I major NSR permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-403.</u> | <u>41</u> | <u>219</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, R18-2-403.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 6. <u>Standard Class I major NSR permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-403.</u> | <u>41</u> | <u>251</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, R18-2-403.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 7. <u>Complex Class I major NSR permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-403.</u> | <u>41</u> | <u>281</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, R18-2-403.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 8. <u>Complex Class I major NSR permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-403.</u> | <u>41</u> | <u>313</u> | <u>Yes</u> | <u>A.A.C. R18-2-304, R18-2-402, and R18-2-403.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 1 (Continued): Class I Air Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group III: Individual Class I other major source licenses: | | | | |
| 9. <u>Standard Class I other major source permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>344</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and fee required.</u> |
| 10. <u>Standard Class I other major source permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>376</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and fee required.</u> |
| 11. <u>Complex Class I other major source permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>406</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and fee required.</u> |
| 12. <u>Complex Class I other major source permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>438</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and fee required.</u> |
| Group IV: Individual Class I renewal licenses: | | | | |
| 13. <u>Standard Class I renewal permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>344</u> | <u>No</u> | <u>A.A.C. R18-2-304</u> <u>Department application form, site inspection, required.</u> |
| 14. <u>Standard Class I renewal permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>376</u> | <u>No</u> | <u>A.A.C. R18-2-304</u> <u>Department application form, site inspection, required.</u> |
| 15. <u>Complex Class I renewal permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>406</u> | <u>No</u> | <u>A.A.C. R18-2-304</u> <u>Department application form, site inspection, required.</u> |
| 16. <u>Complex Class I renewal permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>438</u> | <u>No</u> | <u>A.A.C. R18-2-304</u> <u>Department application form, site inspection, required.</u> |
| Group V: Individual Class I transfer, amendment, and revision licenses: | | | | |
| 17. <u>Class I transfer.</u> <u>A.R.S. § 49-429.</u> <u>A.A.C. R18-2-302 and R18-2-323.</u> | <u>5</u> | <u>10</u> | <u>Yes</u> | <u>A.A.C. R18-2-323.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, required.</u> |

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Table 1 (Continued): Class I Air Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group V (Continued): Individual Class I transfer, amendment, and revision licenses: | | | | |
| <u>18. Class I administrative amendment.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-318.</u> | <u>10</u> | <u>41</u> | <u>No</u> | <u>A.A.C. R18-2-318.</u> <u>Site inspection required.</u> |
| <u>19. Class I minor revision.</u> <u>A.R.S. §§ 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-319.</u> | <u>41</u> | <u>103</u> | <u>Yes</u> | <u>A.A.C. R18-2-319.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>20. Standard Class I significant revision with no public hearing.</u> <u>A.R.S. §§ 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>344</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: A.A.C. R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>21. Standard Class I significant revision with a public hearing.</u> <u>A.R.S. §§ 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>376</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: A.A.C. R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>22. Complex Class I significant revision with no public hearing.</u> <u>A.R.S. §§ 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>406</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: A.A.C. R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>23. Complex Class I significant revision with a public hearing.</u> <u>A.R.S. §§ 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>438</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: A.A.C. R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| Group VI: Authority to operate (ATO) under Class I general permit licenses: | | | | |
| <u>24. Class I general permit petition.</u> <u>A.R.S. § 49-426(H).</u> <u>A.A.C. R18-2-302 and R18-2-502(B).</u> | <u>21</u> | <u>61</u> | <u>No</u> | <u>A.A.C. R18-2-502(B).</u> |
| <u>25. Class I general coverage ATO permit.</u> <u>A.R.S. § 49-426(H).</u> <u>A.A.C. R18-2-302 and R18-2-503.</u> | <u>21</u> | <u>103</u> | <u>Yes</u> | <u>A.A.C. R18-2-503.</u> <u>Fee: R18-2-511.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>26. Class I general coverage ATO renewal permit.</u> <u>A.R.S. § 49-426(H).</u> <u>A.A.C. R18-2-302 and R18-2-505.</u> | <u>21</u> | <u>103</u> | <u>Yes</u> | <u>A.A.C. R18-2-505.</u> <u>Fee: R18-2-511.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |

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Table 2: Class II Air Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| <u>Group I: Individual Class II new licenses:</u> | | | | |
| 1. <u>Standard Class II permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>240</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 2. <u>Standard Class II permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>272</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 3. <u>Complex Class II permit with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>302</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 4. <u>Complex Class II permit with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302.</u> | <u>41</u> | <u>334</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>Group II: Individual Class II renewal licenses:</u> | | | | |
| 5. <u>Standard Class II renewal with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>240</u> | <u>No</u> | <u>A.A.C. R18-2-304.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 6. <u>Standard Class II renewal with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>272</u> | <u>No</u> | <u>A.A.C. R18-2-304.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 7. <u>Complex Class II renewal with no public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>302</u> | <u>No</u> | <u>A.A.C. R18-2-304.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 8. <u>Complex Class II renewal with a public hearing.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302 and R18-2-322.</u> | <u>41</u> | <u>334</u> | <u>No</u> | <u>A.A.C. R18-2-304.</u> <u>Department application form site inspection required.</u> |
| <u>Group III: Individual Class II transfer, amendment, and revision licenses:</u> | | | | |
| 9. <u>Class II transfer.</u> <u>A.R.S. § 49-429.</u> <u>A.A.C. R18-2-302, R18-2-323.</u> | <u>5</u> | <u>10</u> | <u>Yes</u> | <u>A.A.C. R18-2-323.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 10. <u>Class II administrative amendment.</u> <u>A.R.S. § 49-426.</u> <u>A.A.C. R18-2-302, R18-2-318.</u> | <u>10</u> | <u>41</u> | <u>No</u> | <u>A.A.C. R18-2-318.</u> |

Arizona Administrative Register
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Table 2 (Continued): Class II Air Licenses

Subject to A.R.S. § 41-1073-(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Individual Class II transfer, amendment, and revision licenses: | | | | |
| 11. <u>Class II minor revision.</u> <u>A.R.S. § 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-319.</u> | <u>41</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-2-319.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 12. <u>Standard Class II significant revision with no public</u> <u>hearing.</u> <u>A.R.S. § 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>198</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 13. <u>Standard Class II significant revision with a public</u> <u>hearing.</u> <u>A.R.S. § 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>230</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 14. <u>Complex Class II significant revision with no public</u> <u>hearing.</u> <u>A.R.S. § 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>260</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 15. <u>Complex Class II significant revision with a public</u> <u>hearing.</u> <u>A.R.S. § 49-426.01.</u> <u>A.A.C. R18-2-302 and R18-2-320.</u> | <u>41</u> | <u>292</u> | <u>Yes</u> | <u>A.A.C. R18-2-304.</u> <u>Fee: R18-2-326.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| Group IV: Authority to operate (ATO) under general permit licenses. | | | | |
| 16. <u>Class II general permit petition.</u> <u>A.R.S. § 49-426(H).</u> <u>A.A.C. R18-2-302 and R18-2-502(B).</u> | <u>21</u> | <u>61</u> | <u>No</u> | <u>A.A.C. R18-2-502(B).</u> |
| 17. <u>Class II general coverage ATO new permit.</u> <u>A.R.S. § 49-426(H).</u> <u>A.A.C. R18-2-302 and R18-2-503.</u> | <u>21</u> | <u>103</u> | <u>Yes</u> | <u>A.A.C. R18-2-503.</u> <u>Fee: R18-2-511.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 18. <u>Class II general coverage ATO renewal permit.</u> <u>A.R.S. § 49-426(H).</u> <u>A.A.C. R18-2-302 and R18-2-503.</u> | <u>21</u> | <u>103</u> | <u>Yes</u> | <u>A.A.C. R18-2-503.</u> <u>Fee: R18-2-511.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 19. <u>Class II general coverage ATO variance.</u> <u>A.R.S. § 49-426(H).</u> <u>A.A.C. R18-2-507.</u> | <u>21</u> | <u>103</u> | <u>No</u> | <u>A.A.C. R18-2-507.</u> <u>Department application form and site inspection</u> <u>required.</u> |

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Table 3: Open Burning Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| 1. <u>Dangerous material open burning permit.</u> <u>A.R.S. § 49-501.</u> <u>A.A.C. R18-2-602.</u> | <u>5</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-2-602(E)(1).</u> <u>Department application form required.</u> |

Table 3-N: Open Burning Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| 1. <u>Dangerous material open burning permit.</u> <u>A.R.S. § 49-501.</u> <u>A.A.C. R18-2-602.</u> | <u>5</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-2-602(E)(1).</u> <u>Department application form required.</u> |

Table 3-S: Open Burning Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| 1. <u>Dangerous material open burning permit.</u> <u>A.R.S. § 49-501.</u> <u>A.A.C. R18-2-602.</u> | <u>5</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-2-602(E)(1).</u> <u>Department application form required.</u> |

Table 4: Vehicle Emission Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day.

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| 1. <u>Fleet station permit.</u> <u>A.R.S. § 49-546.</u> <u>A.A.C. R18-2-1019, R18-2-1026.</u> | <u>10</u> | <u>15</u> | <u>No</u> | <u>A.A.C. R18-2-1019.</u> <u>Department application form required.</u> |
| 2. <u>Analyzer facility registration.</u> <u>A.R.S. §§ 49-542(J)(4) and 49-546(A)(2).</u> <u>A.A.C. R18-2-1027.</u> | <u>1</u> | <u>15</u> | <u>No</u> | <u>A.A.C. R18-2-1027.</u> |

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Table 5: Safe Drinking Water Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Drinking water approval-to-construct (ATC) licenses: | | | | |
| 1. <u>Standard drinking water treatment facility, project, or well approval to construct.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | 11 | 32 | No | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 2. <u>Complex drinking water treatment facility, project, or well approval to construct.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | 11 | 62 | No | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 3. <u>Standard public and semi-public swimming pool design approval.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 21 | No | <u>A.A.C. R18-5-203.</u> <u>Department application form and site inspection required.</u> |
| 4. <u>Complex public and semi-public swimming pool design approval.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 62 | No | <u>A.A.C. R18-5-203.</u> <u>Department application form and site inspection required.</u> |
| Group II: Drinking water approval-of-construction (AOC) licenses: | | | | |
| 5. <u>Standard drinking water treatment facility, project, or well approval of construction.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-507.</u> | 11 | 32 | No | <u>A.A.C. R18-4-507.</u> <u>Department application form and site inspection required.</u> |
| 6. <u>Complex drinking water treatment facility, project, or well approval of construction.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-507.</u> | 11 | 62 | No | <u>A.A.C. R18-4-507.</u> <u>Department application form and site inspection required.</u> |
| 7. <u>Standard public and semi-public swimming pool approval of construction.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 21 | No | <u>A.A.C. R18-5-204.</u> <u>Department application form and site inspection required.</u> |
| 8. <u>Complex public and semi-public swimming pool approval of construction.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 62 | No | <u>A.A.C. R18-5-204.</u> <u>Department application form and site inspection required.</u> |
| Group III: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 9. <u>Subdivision water approval (with water extension lines only).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 11 | 32 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| 10. <u>Standard subdivision water approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 32 | 37 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |

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Table 5 (Continued): Safe Drinking Water Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 11. <u>Complex subdivision water approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>32</u> | <u>67</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| 12. <u>Water and on-site subdivision approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>32</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| 13. <u>Dry lot and on-site subdivision approval (with new sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>32</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| Group IV: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 14. <u>Standard subdivision water approval (with new water or sewage system with a CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>53</u> | <u>58</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| 15. <u>Complex subdivision water approval (with new water or sewage system with a CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>53</u> | <u>88</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| Group V: Other licenses: | | | | |
| 16. <u>Standard drinking water new source approval.</u> <u>A.R.S. § 49-353.</u> <u>R-18-4-505.</u> | <u>11</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 17. <u>Complex drinking water new source approval.</u> <u>A.R.S. § 49-353.</u> <u>R-18-4-505.</u> | <u>11</u> | <u>62</u> | <u>No</u> | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 18. <u>Drinking water time extension approval.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | <u>11</u> | <u>11</u> | <u>No</u> | <u>A.A.C. R18-4-505.</u> <u>Department application form required.</u> |

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Table 5-N: Safe Drinking Water Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Drinking water approval-to-construct (ATC) licenses: | | | | |
| 1. <u>Standard drinking water treatment facility, project, or well approval to construct.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | <u>11</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 2. <u>Complex drinking water treatment facility, project, or well approval to construct.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | <u>11</u> | <u>62</u> | <u>No</u> | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 3. <u>Standard public and semi-public swimming pool design approval.</u> <u>A.R.S. § 49-104(B)(12).</u> | <u>21</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-5-203.</u> <u>Department application form and site inspection required.</u> |
| 4. <u>Complex public and semi-public swimming pool design approval.</u> <u>A.R.S. § 49-104(B)(12).</u> | <u>21</u> | <u>62</u> | <u>No</u> | <u>A.A.C. R18-5-203.</u> <u>Department application form and site inspection required.</u> |
| Group II: Drinking water approval-of-construction (AOC) licenses: | | | | |
| 5. <u>Standard drinking water treatment facility, project, or well approval of construction.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-507.</u> | <u>11</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-4-507.</u> <u>Department application form and site inspection required.</u> |
| 6. <u>Complex drinking water treatment facility, project, or well approval of construction.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-507.</u> | <u>11</u> | <u>62</u> | <u>No</u> | <u>A.A.C. R18-4-507.</u> <u>Department application form and site inspection required.</u> |
| 7. <u>Standard public and semi-public swimming pool approval of construction.</u> <u>A.R.S. § 49-104(B)(12).</u> | <u>21</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-5-204.</u> <u>Department application form and site inspection required.</u> |
| 8. <u>Complex public and semi-public swimming pool approval of construction.</u> <u>A.R.S. § 49-104(B)(12).</u> | <u>21</u> | <u>62</u> | <u>No</u> | <u>A.A.C. R18-5-204.</u> <u>Department application form and site inspection required.</u> |
| Group III: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 9. <u>Subdivision water approval (with water extension lines only).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>11</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| 10. <u>Standard subdivision water approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>32</u> | <u>37</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |

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Table 5-N (Continued): Safe Drinking Water Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 11. <u>Complex subdivision water approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 32 | 67 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| 12. <u>Water and on-site subdivision approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 32 | 32 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| 13. <u>Dry lot and on-site subdivision approval (with new sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-411.</u> | 32 | 32 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| Group IV: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 14. <u>Standard subdivision water approval (with new water or sewage system with a CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 53 | 58 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| 15. <u>Complex subdivision water approval (with new water or sewage system with a CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 53 | 88 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| Group V: Other licenses: | | | | |
| 16. <u>Standard drinking water new source approval.</u> <u>A.R.S. § 49-353.</u> <u>R-18-4-505.</u> | 11 | 32 | No | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 17. <u>Complex drinking water new source approval.</u> <u>A.R.S. § 49-353.</u> <u>R-18-4-505.</u> | 11 | 62 | No | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 18. <u>Drinking water time extension approval.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | 11 | 11 | No | <u>A.A.C. R18-4-505.</u> <u>Department application form required.</u> |

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Table 5-S: Safe Drinking Water Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTE means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Drinking water approval-to-construct (ATC) licenses: | | | | |
| 1. <u>Standard drinking water treatment facility, project, or well approval to construct.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | 11 | 32 | No | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 2. <u>Complex drinking water treatment facility, project, or well approval to construct.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | 11 | 62 | No | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 3. <u>Standard public and semi-public swimming pool design approval.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 21 | No | <u>A.A.C. R18-5-203.</u> <u>Department application form and site inspection required.</u> |
| 4. <u>Complex public and semi-public swimming pool design approval.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 62 | No | <u>A.A.C. R18-5-203.</u> <u>Department application form and site inspection required.</u> |
| Group II: Drinking water approval-of-construction (AOC) licenses: | | | | |
| 5. <u>Standard drinking water treatment facility, project, or well approval of construction.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-507.</u> | 11 | 32 | No | <u>A.A.C. R18-4-507.</u> <u>Department application form and site inspection required.</u> |
| 6. <u>Complex drinking water treatment facility, project, or well approval of construction.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-507.</u> | 11 | 62 | No | <u>A.A.C. R18-4-507.</u> <u>Department application form and site inspection required.</u> |
| 7. <u>Standard public and semi-public swimming pool approval of construction.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 21 | No | <u>A.A.C. R18-5-204.</u> <u>Department application form and site inspection required.</u> |
| 8. <u>Complex public and semi-public swimming pool approval of construction.</u> <u>A.R.S. § 49-104(B)(12).</u> | 21 | 62 | No | <u>A.A.C. R18-5-204.</u> <u>Department application form and site inspection required.</u> |
| Group III: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 9. <u>Subdivision water approval (with water extension lines only).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 11 | 32 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| 10. <u>Standard subdivision water approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | 32 | 37 | No | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |

Arizona Administrative Register
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**Table 5-S (Continued): Safe Drinking Water Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements**

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 11. <u>Complex subdivision water approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>32</u> | <u>67</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| 12. <u>Water and on-site subdivision approval (with new water or sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>32</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| 13. <u>Driv lot and on-site subdivision approval (with new sewage system with no CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>32</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form, site inspection, and § 208 consistency determination required.</u> |
| Group IV: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 14. <u>Standard subdivision water approval (with new water or sewage system with a CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>53</u> | <u>58</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| 15. <u>Complex subdivision water approval (with new water or sewage system with a CWA § 208 consistency review).</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411.</u> | <u>53</u> | <u>88</u> | <u>No</u> | <u>A.A.C. R18-5-401 through R18-5-411.</u> <u>Department application form and site inspection required.</u> |
| Group V: Other licenses: | | | | |
| 16. <u>Standard drinking water new source approval.</u> <u>A.R.S. § 49-353.</u> <u>R-18-4-505.</u> | <u>11</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 17. <u>Complex drinking water new source approval.</u> <u>A.R.S. § 49-353.</u> <u>R-18-4-505.</u> | <u>11</u> | <u>62</u> | <u>No</u> | <u>A.A.C. R18-4-505.</u> <u>Department application form and site inspection required.</u> |
| 18. <u>Drinking water time extension approval.</u> <u>A.R.S. § 49-353.</u> <u>A.A.C. R18-4-505.</u> | <u>11</u> | <u>11</u> | <u>No</u> | <u>A.A.C. R18-505.</u> <u>Department application form required.</u> |

Arizona Administrative Register
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Table 6: Wastewater Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Wastewater approval-to-construct (ATC) licences with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 1. <u>Standard wastewater treatment facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 2. <u>Complex wastewater treatment facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 3. <u>Standard sewerage collection system approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 4. <u>Complex sewerage collection system approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 5. <u>Standard individual on-site wastewater facility approval to construct.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 6. <u>Complex individual on-site wastewater facility approval to construct.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 7. <u>Standard non-individual on-site wastewater facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 8. <u>Complex non-individual on-site wastewater facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |

Arizona Administrative Register
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Table 6 (Continued): Wastewater Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I (Continued): Wastewater approval-to-construct (ATC) licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| <u>9. Standard reclaimed wastewater and sewage disposal facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>10. Complex reclaimed wastewater and sewage disposal facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| Group II: Wastewater approval-to-construct (ATC) licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| <u>11. Standard wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>53</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>12. Complex wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>13. Standard sewerage collection system approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>42</u> | <u>53</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>14. Complex sewerage collection system approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>15. Standard individual on-site wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>53</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>16. Complex individual on-site wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 6 (Continued): Wastewater Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group II (Continued): Wastewater approval-to-construct (ATC) licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| <u>17. Standard non-individual on-site wastewater facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>18. Complex non-individual on-site wastewater facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>19. Standard reclaimed wastewater and sewage disposal facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>63</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>20. Complex reclaimed wastewater and sewage disposal facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group III: Wastewater approval-of-construction (AOC) licenses: | | | | |
| <u>21. Standard wastewater treatment facility approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>22. Complex wastewater treatment facility approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>23. Standard sewerage collection system approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>24. Complex sewerage collection system approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 6 (Continued): Wastewater Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group III (Continued): Waste water approval-of-construction (AOC) licenses: | | | | |
| 25. <u>Standard individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 26. <u>Complex individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 27. <u>Standard non-individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 28. <u>Complex non-individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 29. <u>Standard reclaimed wastewater and sewage disposal facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 30. <u>Complex reclaimed wastewater and sewage disposal facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group IV: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 31. <u>Standard subdivision wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>37</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 32. <u>Complex subdivision wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |

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Table 6 (Continued): Wastewater Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group IV (Continued): Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 33. <u>Standard water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 34. <u>Complex water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 35. <u>Standard drv lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 36. <u>Complex drv lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group V: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 37. <u>Standard subdivision wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>58</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 38. <u>Complex subdivision wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 39. <u>Standard water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 40. <u>Complex water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
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Table 6 (Continued): Wastewater Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group V (Continued): Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| <u>41. Standard drv lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>42. Complex drv lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group VI: Other wastewater licenses: | | | | |
| <u>43. Wastewater time extension approval.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804(F).</u> | <u>21</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-804(F).</u> <u>Department application form and initial fee required.</u> |
| <u>44. CWA § 208 consistency review approval.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804(I) and R18-9-804(J).</u> | <u>21</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-9-804(I) and R18-9-804(J).</u> <u>Department application form required.</u> |

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Table 6-N: Wastewater Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Wastewater approval-to-construct (ATC) licences with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 1. <u>Standard wastewater treatment facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 2. <u>Complex wastewater treatment facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 3. <u>Standard sewerage collection system approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 4. <u>Complex sewerage collection system approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 5. <u>Standard individual on-site wastewater facility approval to construct.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 6. <u>Complex individual on-site wastewater facility approval to construct.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 7. <u>Standard non-individual on-site wastewater facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 8. <u>Complex non-individual on-site wastewater facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |

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Table 6-N (Continued): Wastewater Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I (Continued): Wastewater approval-to-construct (ATC) licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 9. <u>Standard reclaimed wastewater and sewage disposal facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 32 | 41 | Yes | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 10. <u>Complex reclaimed wastewater and sewage disposal facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 32 | 62 | Yes | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| Group II: Wastewater approval-to-construct (ATC) licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 11. <u>Standard wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 53 | 53 | Yes | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 12. <u>Complex wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 53 | 83 | Yes | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 13. <u>Standard sewerage collection system approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 42 | 53 | Yes | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 14. <u>Complex sewerage collection system approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 53 | 83 | Yes | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 15. <u>Standard individual on-site wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 53 | 53 | Yes | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 16. <u>Complex individual on-site wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | 53 | 83 | Yes | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 6-N (Continued): Wastewater Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| <u>Group II (Continued): Wastewater approval-to-construct (ATC) licenses with a Clean Water Act (CWA) § 208 consistency review:</u> | | | | |
| <u>17. Standard non-individual on-site wastewater facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>18. Complex non-individual on-site wastewater facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>19. Standard reclaimed wastewater and sewage disposal facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>63</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>20. Complex reclaimed wastewater and sewage disposal facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>Group III: Wastewater approval-of-construction (AOC) licenses:</u> | | | | |
| <u>21. Standard wastewater treatment facility approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>22. Complex wastewater treatment facility approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>23. Standard sewerage collection system approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>24. Complex sewerage collection system approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 6-N (Continued): Wastewater Construction Licenses Issued by the Northern Regional Office

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| <u>Group III (Continued): Waste water approval-of-construction (AOC) licenses:</u> | | | | |
| <u>25. Standard individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>26. Complex individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>27. Standard non-individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>28. Complex non-individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>29. Standard reclaimed wastewater and sewage disposal facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>30. Complex reclaimed wastewater and sewage disposal facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>Group IV: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review:</u> | | | | |
| <u>31. Standard subdivision wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>37</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>32. Complex subdivision wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |

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Table 6-N (Continued): Wastewater Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group IV (Continued): Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 33. <u>Standard water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 34. <u>Complex water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 35. <u>Standard dry lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 36. <u>Complex dry lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group V: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 37. <u>Standard subdivision wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>58</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 38. <u>Complex subdivision wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 39. <u>Standard water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 40. <u>Complex water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
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Table 6-N (Continued): Wastewater Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group V (Continued): Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 41. <u>Standard dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 42. <u>Complex dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group VI: Other wastewater licenses: | | | | |
| 43. <u>Wastewater time extension approval.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804(F).</u> | <u>21</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-804(F).</u> <u>Department application form and initial fee required.</u> |
| 44. <u>CWA § 208 consistency review approval.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804(I) and R18-9-804(J).</u> | <u>21</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-9-804(I) and R18-9-804(J).</u> <u>Department application form required.</u> |

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Table 6-S: Wastewater Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Wastewater approval-to-construct (ATC) licences with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| <u>1. Standard wastewater treatment facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>2. Complex wastewater treatment facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>3. Standard sewerage collection system approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>4. Complex sewerage collection system approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>5. Standard individual on-site wastewater facility approval to construct.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>6. Complex individual on-site wastewater facility approval to construct.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>7. Standard non-individual on-site wastewater facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>8. Complex non-individual on-site wastewater facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |

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Table 6-S (Continued): Wastewater Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I (Continued): Wastewater approval-to-construct (ATC) licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 9. <u>Standard reclaimed wastewater and sewage disposal facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 10. <u>Complex reclaimed wastewater and sewage disposal facility approval to construct with no CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| Group II: Wastewater approval-to-construct (ATC) licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 11. <u>Standard wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>53</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 12. <u>Complex wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 13. <u>Standard sewerage collection system approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>42</u> | <u>53</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 14. <u>Complex sewerage collection system approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 15. <u>Standard individual on-site wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>53</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 16. <u>Complex individual on-site wastewater treatment facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 6-S (Continued): Wastewater Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group II (Continued): Wastewater approval-to-construct (ATC) licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 17. <u>Standard non-individual on-site wastewater facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 18. <u>Complex non-individual on-site wastewater facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 19. <u>Standard reclaimed wastewater and sewage disposal facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>63</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 20. <u>Complex reclaimed wastewater and sewage disposal facility approval to construct with a CWA § 208 consistency review.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>83</u> | <u>Yes</u> | <u>A.A.C. R18-9-703, R18-9-803, and R18-9-804, R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group III: Wastewater approval-of-construction (AOC) licenses: | | | | |
| 21. <u>Standard wastewater treatment facility approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 22. <u>Complex wastewater treatment facility approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 23. <u>Standard sewerage collection system approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 24. <u>Complex sewerage collection system approval of construction.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 6-S (Continued): Wastewater Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group III (Continued): Waste water approval-of-construction (AOC) licenses: | | | | |
| <u>25. Standard individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>26. Complex individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>27. Standard non-individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>28. Complex non-individual on-site wastewater facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-805, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>29. Standard reclaimed wastewater and sewage disposal facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>30. Complex reclaimed wastewater and sewage disposal facility approval of construction.</u> <u>A.R.S. § 49-361 and 49-362.</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group IV: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| <u>31. Standard subdivision wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>37</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| <u>32. Complex subdivision wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 6-S (Continued): Wastewater Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group IV (Continued): Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 33. <u>Standard water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 34. <u>Complex water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 35. <u>Standard drv lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, § 208 consistency determination, and initial fee required.</u> |
| 36. <u>Complex drv lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group V: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 37. <u>Standard subdivision wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>58</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 38. <u>Complex subdivision wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 39. <u>Standard water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 40. <u>Complex water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 6-S (Continued): Wastewater Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| <u>Group V (Continued): Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review:</u> | | | | |
| <u>41. Standard drv lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>42. Complex drv lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>Group VI: Other wastewater licenses:</u> | | | | |
| <u>43. Wastewater time extension approval.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804(F).</u> | <u>21</u> | <u>21</u> | <u>Yes</u> | <u>A.A.C. R18-9-804(F).</u> <u>Department application form and initial fee required.</u> |
| <u>44. CWA § 208 consistency review approval.</u> <u>A.R.S. §§ 49-361 and 49-362.</u> <u>A.A.C. R18-9-804(I) and R18-9-804(J).</u> | <u>21</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-9-804(I) and R18-9-804(J).</u> <u>Department application form required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 7: Subdivision Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 1. <u>Standard subdivision water and wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 32 | 37 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 2. <u>Complex subdivision water and wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 32 | 67 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 3. <u>Standard water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 32 | 46 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 4. <u>Complex water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 32 | 67 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 5. <u>Standard drv lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 32 | 46 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 6. <u>Complex drv lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 32 | 67 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| Group II: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 7. <u>Standard subdivision water and wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 53 | 58 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 8. <u>Complex subdivision water and wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | 53 | 88 | Yes | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 7 (Continued): Subdivision Construction Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group II (Continued): Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| <u>9. Standard water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>10. Complex water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>11. Standard dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>12. Complex dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
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Table 7-N: Subdivision Construction Licenses Issued by the Northern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 1. <u>Standard subdivision water and wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>37</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 2. <u>Complex subdivision water and wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 3. <u>Standard water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 4. <u>Complex water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 5. <u>Standard dry lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 6. <u>Complex dry lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |

Group II: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review:

| | | | | |
|---|-----------|-----------|------------|---|
| 7. <u>Standard subdivision water and wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>58</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 8. <u>Complex subdivision water and wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 7-N (Continued): Subdivision Construction Licenses Issued by the Northern regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group II (Continued): Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 9. <u>Standard water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 10. <u>Complex water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 11. <u>Standard dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 12. <u>Complex dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
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Table 7-S: Subdivision Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Subdivision sanitary facility licenses with no Clean Water Act (CWA) § 208 consistency review: | | | | |
| 1. <u>Standard subdivision water and wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>37</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 2. <u>Complex subdivision water and wastewater approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 3. <u>Standard water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 4. <u>Complex water and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 5. <u>Standard dry lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>46</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| 6. <u>Complex dry lot and on-site wastewater subdivision approval with no § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>32</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, §208 consistency determination, and initial fee required.</u> |
| Group II: Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 7. <u>Standard subdivision water and wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>58</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 8. <u>Complex subdivision water and wastewater approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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**Table 7-S (Continued): Subdivision Construction Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements**

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group II (Continued): Subdivision sanitary facility licenses with a Clean Water Act (CWA) § 208 consistency review: | | | | |
| 9. <u>Standard water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 10. <u>Complex water and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 11. <u>Standard dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>67</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 12. <u>Complex dry lot and on-site wastewater subdivision approval with a § 208 consistency review.</u> <u>A.R.S. § 49-104(B)(11).</u> <u>A.A.C. R18-5-401 through R18-5-411 and R18-9-804.</u> | <u>53</u> | <u>88</u> | <u>Yes</u> | <u>A.A.C. R18-5-401 through R18-5-411, R18-9-803, R18-9-804, and R18-9-806.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
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Table 8: Safe Drinking Water Monitoring and Treatment Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Safe drinking water monitoring, sample, and sample site change and waiver licenses: | | | | |
| 1. <u>Monitoring frequency change approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-206(G)(1), R18-4-206(G)(2), R18-4-206(J), R18-4-206(K)(1), R18-4-206(K)(2), R18-4-207(I)(1), R18-4-207(I)(2), R18-4-208(E), R18-4-208(F), R18-4-209(G), R18-4-212(E), R18-4-212(F), R18-4-212(G)(1), R18-4-212(G)(2), R18-4-212(I)(3), R18-4-213(A), R18-4-213(A), R18-4-214(F), R18-4-216(E), R18-4-216(G)(1), R18-4-216(G)(2), R18-4-216(H)(3), R18-4-217(E)(1), R18-4-310(E), R18-4-310(E)(2), R18-4-313(J), R18-4-313(K), R18-4-313(M)(1), R18-4-313(M)(2), R18-4-313(M)(4), R18-4-313(P)(1), R18-4-313(P)(2), R18-4-403(E)(1), R18-4-403(E)(2).</u> | 15 | 27 | No | <u>A.A.C. R18-4-206(G)(1), R18-4-206(G)(2), R18-4-206(J), R18-4-206(K)(1), R18-4-206(K)(2), R18-4-207(I)(1), R18-4-207(I)(2), R18-4-208(E), R18-4-208(F), R18-4-209(G), R18-4-212(E), R18-4-212(F), R18-4-212(G)(1), R18-4-212(G)(2), R18-4-212(I)(3), R18-4-213(A), R18-4-213(A), R18-4-214(F), R18-4-216(E), R18-4-216(G)(1), R18-4-216(G)(2), R18-4-216(H)(3), R18-4-217(E)(1), R18-4-310(E), R18-4-310(E)(2), R18-4-313(J), R18-4-313(K), R18-4-313(M)(1), R18-4-313(M)(2), R18-4-313(M)(4), R18-4-313(P)(1), R18-4-313(P)(2), R18-4-403(E)(1), R18-4-403(E)(2).</u> <u>Department application form required.</u> |
| 2. <u>Monitoring sample change approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-214(E), R18-4-310(E), R18-4-313(J), R18-4-313(M)(1), R18-4-313(M)(2).</u> | 15 | 27 | No | <u>A.A.C. R18-4-214(E), R18-4-310(E), R18-4-313(J), R18-4-313(M)(1), R18-4-313(M)(2).</u> <u>Department application form required.</u> |
| 3. <u>Residual disinfectant concentration sampling interval approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-303(B)(2)(a).</u> | 15 | 15 | No | <u>A.A.C. R18-4-303.</u> <u>Department application form required.</u> |
| 4. <u>Interim monitoring relief determination.</u> <u>A.R.S. § 49-359(B)(3).</u> | 21 | 41 | No | <u>A.R.S. § 49-359(B).</u> <u>Department application form required.</u> |
| 5. <u>Man-made radioactivity environmental surveillance substitution approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-217(H)(3)(d).</u> | 21 | 62 | No | <u>A.A.C. R18-4-217(H)(3)(d).</u> <u>Department application form required.</u> |
| 6. <u>Consecutive public water system monitoring requirements modification approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-113.</u> | 21 | 84 | No | <u>A.A.C. R18-4-113.</u> <u>Department application form and site inspection required.</u> |
| 7. <u>Trihalomethane source basis for sampling purposes approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-214(C).</u> | 21 | 167 | No | <u>A.A.C. R18-4-214.</u> <u>Department application form and site inspection required.</u> |
| 8. <u>Sodium multiple well sampling number reduction approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-402(B).</u> | 21 | 167 | No | <u>A.A.C. R18-4-402.</u> <u>Department application form and site inspection required.</u> |

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Table 8 (Continued): Safe Drinking Water Monitoring and Treatment Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group I (Continued): Safe drinking water monitoring, sample, and sample site change and waiver licenses: | | | | |
| 9. <u>Turbidity monitoring frequency reduction approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-302(H).</u> | <u>21</u> | <u>167</u> | <u>No</u> | <u>A.A.C. R18-4-302.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 10. <u>Monitoring waiver approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-206(L), R18-4-207(L), R18-4-212(K)(1),</u> <u>R18-4-212(K)(2), R18-4-212(K)(3), R18-4-212(K)(4),</u> <u>R18-4-216(M)(1), R18-4-216(M)(2), R18-4-217(E)(2),</u> <u>R18-4-401(D), R18-4-404(E), R18-4-404(F).</u> | <u>21</u> | <u>105</u> | <u>No</u> | <u>A.A.C. R18-4-206(L), R18-4-207(L), R18-4-</u> <u>212(K)(1), R18-4-212(K)(2), R18-4-212(K)(3),</u> <u>R18-4-212(K)(4), R18-4-216(M)(1), R18-4-</u> <u>216(M)(2), R18-4-217(E)(2), R18-4-401(D),</u> <u>R18-4-404(E), R18-4-404(F).</u> <u>Department application form required.</u> |
| Group II: Safe drinking water variance and exemption licenses: | | | | |
| 11. <u>Maximum contaminant level or treatment technique</u> <u>requirement variance with no public hearing.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-110.</u> | <u>21</u> | <u>105</u> | <u>No</u> | <u>A.A.C. R18-4-110.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 12. <u>Maximum contaminant level or treatment technique</u> <u>requirement variance with a public hearing.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-110.</u> | <u>21</u> | <u>187</u> | <u>No</u> | <u>A.A.C. R18-4-110.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 13. <u>Maximum contaminant level or treatment technique</u> <u>requirement exemption with no public hearing.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-111.</u> | <u>21</u> | <u>105</u> | <u>No</u> | <u>A.A.C. R18-4-111.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 14. <u>Maximum contaminant level or treatment technique</u> <u>requirement exemption with a public hearing.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-111.</u> | <u>21</u> | <u>187</u> | <u>No</u> | <u>A.A.C. R18-4-111.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 15. <u>Maximum contaminant level or treatment technique</u> <u>requirement compliance extension approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-111(C).</u> | <u>21</u> | <u>32</u> | <u>No</u> | <u>A.A.C. R18-4-111.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 16. <u>Maximum contaminant level or treatment technique</u> <u>requirement compliance additional extension approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-111(C)(4).</u> | <u>21</u> | <u>42</u> | <u>No</u> | <u>A.A.C. R18-4-111.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| 17. <u>Safe drinking water requirement exclusion approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-112(A).</u> | <u>21</u> | <u>42</u> | <u>No</u> | <u>A.A.C. R18-4-112(B).</u> <u>Department application form and site inspection</u> <u>required.</u> |

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Table 8 (Continued): Safe Drinking Water Monitoring and Treatment Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group II (Continued): Safe drinking water variance and exemption licenses: | | | | |
| 18. <u>Backflow-prevention assembly third-party certifying entity designation approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-115(D)(2).</u> | 21 | 105 | No | <u>A.A.C. R18-4-115.</u> <u>Department application form and site inspection required.</u> |
| Group III: Safe drinking water treatment and monitoring plan licenses: | | | | |
| 19. <u>Maximum contaminant level compliance blending plan approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>R18-4-221(A).</u> | 21 | 125 | No | <u>A.A.C. R18-4-221.</u> <u>Department application form and site inspection required.</u> |
| 20. <u>Maximum contaminant level compliance blending plan change approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>R18-4-221(B).</u> | 21 | 125 | No | <u>A.A.C. R18-4-221.</u> <u>Department application form and site inspection required.</u> |
| 21. <u>Maximum contaminant level compliance at subsequent downstream service connections monitoring plan approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>R18-4-221(A)(2).</u> | 21 | 125 | No | <u>A.A.C. R18-4-221.</u> <u>Department application form and site inspection required.</u> |
| 22. <u>Point-of-entry treatment device monitoring plan approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>R18-4-222(B)(1).</u> | 15 | 15 | No | <u>A.A.C. R18-4-222.</u> <u>Department application form and site inspection required.</u> |
| 23. <u>Point-of-entry treatment device design approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>R18-4-222(B)(2).</u> | 21 | 167 | No | <u>A.A.C. R18-4-222.</u> <u>Department application form and site inspection required.</u> |
| 24. <u>Lead and copper source water treatment determination modification.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-313(N).</u> | 21 | 167 | No | <u>A.A.C. R18-4-313.</u> <u>Department application form and site inspection required.</u> |
| 25. <u>Lead and copper source water concentration determination modification.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-314(N).</u> | 21 | 167 | No | <u>A.A.C. R18-4-314.</u> <u>Department application form and site inspection required.</u> |
| 26. <u>Lead service line extent under system control determination approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-315(D).</u> | 21 | 105 | No | <u>A.A.C. R18-4-315.</u> <u>Department application form and site inspection required.</u> |

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Table 8 (Continued): Safe Drinking Water Monitoring and Treatment Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Safe drinking water treatment and monitoring plan licenses: | | | | |
| <u>27. Lead service line extent under system control rebuttable presumption determination approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-315(E).</u> | <u>21</u> | <u>105</u> | <u>No</u> | <u>A.A.C. R18-4-315.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| Group IV: Lead and copper corrosion control licenses: | | | | |
| <u>28. Lead and copper optimal corrosion control treatment approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-313(A).</u> | <u>42</u> | <u>502</u> | <u>No</u> | <u>A.A.C. R18-4-313.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| <u>29. Large water system lead and copper corrosion control activities equivalency demonstration approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-306(B)(1).</u> | <u>42</u> | <u>502</u> | <u>No</u> | <u>A.A.C. R18-4-306.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| <u>30. Small and medium water system lead and copper corrosion control activities equivalency demonstration approval.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-307(B)(2).</u> | <u>21</u> | <u>502</u> | <u>No</u> | <u>A.A.C. R18-4-307.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| <u>31. Lead and copper optimal corrosion treatment determination modification.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-313(N).</u> | <u>42</u> | <u>376</u> | <u>No</u> | <u>A.A.C. R18-4-313.</u> <u>Department application form and site inspection</u> <u>required.</u> |
| <u>32. Lead and copper water quality control parameters determination modification.</u> <u>A.R.S. § 49-353(A)(2).</u> <u>A.A.C. R18-4-313(N).</u> | <u>42</u> | <u>376</u> | <u>No</u> | <u>A.A.C. R18-4-313.</u> <u>Department application form and site inspection</u> <u>required.</u> |

Arizona Administrative Register
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Table 9: Water and Wastewater Operator Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Drinking water operator licenses: | | | | |
| 1. <u>Drinking water treatment or distribution facility operator new certification.</u> <u>A.R.S. § 49-352.</u> <u>A.A.C. R18-5-105.</u> | 105 | 10 | No | <u>A.A.C. R18-5-101 through R18-5-115.</u> <u>Fee: R18-5-113.</u> <u>Department application form, test space availability, and initial fee required.</u> |
| 2. <u>Drinking water treatment or distribution facility operator renewal certification.</u> <u>A.R.S. § 49-352.</u> <u>A.A.C. R18-5-107, R18-5-108(D).</u> | 42 | 10 | No | <u>A.A.C. R18-5-101 through R18-5-115.</u> <u>Fee: R18-5-113.</u> <u>Department application form and initial fee required.</u> |
| 3. <u>Drinking water treatment or distribution facility operator reciprocity certification.</u> <u>A.R.S. § 49-352.</u> <u>A.A.C. R18-5-110(A).</u> | 42 | 10 | No | <u>A.A.C. R18-5-101 through R18-5-115.</u> <u>Fee: R18-5-113.</u> <u>Department application form and initial fee required.</u> |
| 4. <u>Drinking water treatment or distribution facility operator certification without examination.</u> <u>A.R.S. § 49-352.</u> <u>A.A.C. R18-5-111.</u> | 42 | 10 | No | <u>A.A.C. R18-5-101 through R18-5-115.</u> <u>Fee: R18-5-113.</u> <u>Department application form and initial fee required.</u> |
| Group II: Wastewater operator licenses: | | | | |
| 5. <u>Wastewater treatment or collection facility operator new certification.</u> <u>A.R.S. § 49-361.</u> <u>A.A.C. R18-5-105.</u> | 105 | 10 | No | <u>A.A.C. R18-5-101 through R18-1-115.</u> <u>Fee: A.A.C. R18-1-113.</u> <u>Department application form, test space availability, and initial fee required.</u> |
| 6. <u>Wastewater treatment or collection facility operator renewal certification.</u> <u>A.R.S. § 49-361.</u> <u>A.A.C. R18-5-107, R18-5-108(D).</u> | 42 | 10 | No | <u>A.A.C. R18-5-101 through R18-1-115.</u> <u>Fee: A.A.C. R18-1-113.</u> <u>Department application form and initial fee required.</u> |
| 7. <u>Wastewater treatment or collection system operator reciprocity certification.</u> <u>A.R.S. § 49-361.</u> <u>A.A.C. R18-5-110(A).</u> | 42 | 10 | No | <u>A.A.C. R18-5-101 through R18-1-115.</u> <u>Fee: A.A.C. R18-1-113.</u> <u>Department application form and initial fee required.</u> |
| 8. <u>Wastewater treatment or collection system operator certification without examination.</u> <u>A.R.S. § 49-361.</u> <u>A.A.C. R18-5-111.</u> | 42 | 10 | No | <u>A.A.C. R18-5-101 through R18-1-115.</u> <u>Fee: A.A.C. R18-1-113.</u> <u>Department application form and initial fee required.</u> |

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Table 10: Water Quality Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Wastewater treatment facility individual discharging aquifer protection (AP) licenses: | | | | |
| 1. <u>Standard wastewater treatment facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 2. <u>Standard wastewater treatment facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 3. <u>Complex wastewater treatment facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 4. <u>Complex wastewater treatment facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 5. <u>Standard wastewater treatment facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 6. <u>Standard wastewater treatment facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 7. <u>Complex wastewater treatment facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 8. <u>Complex wastewater treatment facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 9. <u>Standard wastewater treatment facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 10. <u>Complex wastewater treatment facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register

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Table 10 (Continued): Water Quality Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group I (continued): Wastewater treatment facility individual discharging aquifer protection (AP) licenses: | | | | |
| 11. Wastewater treatment facility AP permit transfer approval. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 21 | 32 | Yes | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |
| 12. Wastewater treatment facility AP closure plan approval. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 21 | 41 | Yes | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 13. Standard wastewater treatment facility AP post-closure plan approval. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 21 | 41 | Yes | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 14. Complex wastewater treatment facility AP post-closure plan approval. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 21 | 125 | Yes | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 15. Wastewater treatment facility AP VEMUR approval. <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | 15 | 47 | Yes | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| 16. Wastewater treatment facility AP VEMUR cancellation approval. <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | 15 | 27 | Yes | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group II: Wastewater treatment facility (with recharge component) individual discharging aquifer protection (AP) licenses: | | | | |
| 17. Standard wastewater treatment facility (with recharge component) AP new permit with no public hearing. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 186 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 18. Standard wastewater treatment facility (with recharge component) AP new permit with a public hearing. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 232 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 19. Complex wastewater treatment facility (with recharge component) AP new permit with no public hearing. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 249 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 20. Complex wastewater treatment facility (with recharge component) AP new permit with a public hearing. <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 295 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 10 (Continued): Water Quality Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group II: Wastewater treatment facility (with recharge component) individual discharging aquifer protection (AP) licenses: | | | | |
| <u>21. Standard wastewater treatment facility (with recharge component) AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>22. Standard wastewater treatment facility (with recharge component) AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>23. Complex wastewater treatment facility (with recharge component) AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>24. Complex wastewater treatment facility (with recharge component) AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>25. Standard wastewater treatment facility (with recharge component) AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>26. Complex wastewater treatment facility (with recharge component) AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group III: Small BADCT wastewater treatment facility (with designs less than 250,000 gpd) individual discharging aquifer protection (AP) licenses: | | | | |
| <u>27. Standard small BADCT wastewater treatment facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>145</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>28. Standard small BADCT wastewater treatment facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>191</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 10 (Continued): Water Quality Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

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Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Small BADCT wastewater treatment facility (with designs less than 250,000 gpd) individual discharging aquifer protection (AP) licenses: | | | | |
| 29. <u>Complex small BADCT wastewater treatment facility</u> <u>AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 208 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 30. <u>Complex small BADCT wastewater treatment facility</u> <u>AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 254 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 31. <u>Standard small BADCT wastewater treatment facility</u> <u>AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 145 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 32. <u>Standard small BADCT wastewater treatment facility</u> <u>AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 191 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 33. <u>Complex small BADCT wastewater treatment facility</u> <u>AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 208 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 34. <u>Complex small BADCT wastewater treatment facility</u> <u>AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 254 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 35. <u>Standard small BADCT wastewater treatment facility</u> <u>AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 145 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 36. <u>Complex small BADCT wastewater treatment facility</u> <u>AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 208 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 37. <u>Small BADCT wastewater treatment facility AP</u> <u>permit transfer approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 21 | 32 | Yes | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |

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Table 10 (Continued): Water Quality Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Small BADCT wastewater treatment facility (with designs less than 250,000 gpd) individual discharging aquifer protection (AP) licenses: | | | | |
| 38. <u>Small BADCT wastewater treatment facility AP closure plan approval.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 39. <u>Standard small BADCT wastewater treatment facility AP post-closure plan approval.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 40. <u>Complex small BADCT wastewater treatment facility AP post-closure plan approval.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>125</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 41. <u>Small BADCT wastewater treatment facility AP VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| 42. <u>Small BADCT wastewater treatment facility AP VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group IV: Industrial facility individual discharging aquifer protection (AP) licenses: | | | | |
| 43. <u>Standard industrial facility AP new permit with no public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 44. <u>Standard industrial facility AP new permit with a public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 45. <u>Complex industrial facility AP new permit with no public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 46. <u>Complex industrial facility AP new permit with a public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 10 (Continued): Water Quality Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group IV (Continued): Industrial facility individual discharging aquifer protection (AP) licenses: | | | | |
| 47. <u>Standard industrial facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 48. <u>Standard industrial facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 49. <u>Complex industrial facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 50. <u>Complex industrial facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 51. <u>Standard industrial facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 52. <u>Complex industrial facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 53. <u>Industrial facility AP permit transfer approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |
| 54. <u>Industrial facility AP closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 55. <u>Standard industrial facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 56. <u>Complex industrial facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>125</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 10 (Continued): Water Quality Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group IV (Continued): Industrial facility individual discharging aquifer protection (AP) licenses: | | | | |
| <u>57. Industrial facility AP VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| <u>58. Industrial facility AP VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group V: Mine facility individual discharging aquifer protection (AP) licenses: | | | | |
| <u>59. Standard mine facility AP new permit with no public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>60. Standard mine facility AP new permit with a public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>61. Complex mine facility AP new permit with no public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>62. Complex mine facility AP new permit with a public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>63. Standard mine facility AP major modification permit with no public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>64. Standard mine facility AP major modification permit with a public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>65. Complex mine facility AP major modification permit with no public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>66. Complex mine facility AP major modification permit with a public hearing.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 10 (Continued): Water Quality Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group V (Continued): Mine facility individual discharging aquifer protection (AP) licenses: | | | | |
| 67. <u>Standard mine facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 68. <u>Complex mine facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 69. <u>Mine facility AP permit transfer approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |
| 70. <u>Mine facility AP closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 71. <u>Standard mine facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 72. <u>Complex mine facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>125</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 73. <u>Mine facility AP VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| 74. <u>Mine facility AP VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |

Group VI: Other facility individual discharging aquifer protection (AP) licenses:

| | | | | |
|--|-----------|------------|------------|--|
| 75. <u>Standard other discharging facility AP new permit</u> <u>with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 76. <u>Standard other discharging facility AP new permit</u> <u>with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |

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Table 10 (Continued): Water Quality Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

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Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group VI (Continued): Other discharging facility individual discharging aquifer protection (AP) license: | | | | |
| 77. <u>Complex other discharging facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 249 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 78. <u>Complex other discharging facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 295 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 79. <u>Standard other discharging facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 186 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 80. <u>Standard other discharging facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 232 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 81. <u>Complex other discharging facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 249 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 82. <u>Complex other discharging facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 295 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 83. <u>Standard other discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 186 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 84. <u>Complex other discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 249 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 85. <u>Other discharging facility AP permit transfer approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 21 | 32 | Yes | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |
| 86. <u>Other discharging facility AP closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 21 | 41 | Yes | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 18 (Continued): Water Quality Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group VI (Continued): Other discharging facility individual discharging aquifer protection (AP) licenses: | | | | |
| 87. <u>Standard other discharging facility AP post-closure plan approval.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 88. <u>Complex other discharging facility AP post-closure plan approval.</u> <u>A.R.S. §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>125</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 89. <u>Other discharging facility AP VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| 90. <u>Other discharging facility AP VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group VII: Reclaimed wastewater reuse licenses: | | | | |
| 91. <u>Standard reclaimed wastewater reuse new permit with no public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 92. <u>Standard reclaimed wastewater reuse new permit with a public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 93. <u>Complex reclaimed wastewater reuse new permit with no public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 94. <u>Complex reclaimed wastewater reuse new permit with a public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 95. <u>Standard reclaimed wastewater reuse major modification permit with no public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 96. <u>Standard reclaimed wastewater reuse major modification permit with a public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 10 (Continued): Water Quality Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group VII (Continued): Reclaimed wastewater reuse licenses: | | | | |
| 97. <u>Complex reclaimed wastewater reuse major modification permit with no public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 98. <u>Complex reclaimed wastewater reuse major modification permit with a public hearing.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 99. <u>Standard reclaimed wastewater reuse other modification permit.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 100. <u>Complex reclaimed wastewater reuse other modification permit.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-705.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 101. <u>Reclaimed wastewater reuse permit transfer approval.</u> <u>A.R.S. § 49-250(B)(8).</u> <u>A.A.C. R18-9-701 through R18-9-707.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |
| Group VIII: Noneffluent groundwater recharge licenses: | | | | |
| 102. <u>Standard noneffluent groundwater recharge approval.</u> <u>A.R.S. § 45-811.01(C)(5).</u> | <u>35</u> | <u>70</u> | <u>No</u> | <u>A.R.S. § 45-811.01(C)(5).</u> |
| 103. <u>Complex noneffluent groundwater recharge approval.</u> <u>A.R.S. § 45-811.01(C)(5).</u> | <u>35</u> | <u>112</u> | <u>No</u> | <u>A.R.S. § 45-811.01(C)(5).</u> |
| 104. <u>Noneffluent groundwater recharge pilot project time extension approval.</u> <u>A.R.S. § 49-241.</u> <u>A.A.C. R18-9-127(B).</u> | <u>10</u> | <u>10</u> | <u>No</u> | <u>A.A.C. R18-9-127(B).</u> |
| Group IX: Facility registration licenses: | | | | |
| 105. <u>Drv well registration.</u> <u>A.R.S. § 49-332.</u> | <u>21</u> | <u>0</u> | <u>No</u> | <u>Fee: A.A.C. R18-14-103(B)(1).</u> <u>Department application form and initial fee required.</u> |
| 106. <u>Significant industrial user registration.</u> <u>A.R.S. § 49-209.</u> | <u>21</u> | <u>0</u> | <u>No</u> | <u>Fee: A.A.C. R18-14-103(B)(2).</u> <u>Department application form and initial fee required.</u> |

Arizona Administrative Register
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Table 10 (Continued): Water Quality Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR</u> | <u>SR</u> | <u>Subject</u> | <u>Application Components</u> |
|-------------------------|-------------|-------------|------------------|-------------------------------|
| | <u>TF</u> | <u>TF</u> | <u>to</u> | |
| | <u>Days</u> | <u>Days</u> | <u>Sanctions</u> | |

Group X: Pesticide contamination prevention licenses:

| | | | | |
|---|-----------|------------|-----------|-------------------------------------|
| <u>107. New pesticide approval.</u> <u>A.R.S. §49-302(F).</u> <u>A.A.C. R18-6-102(B).</u> | <u>62</u> | <u>124</u> | <u>No</u> | <u>A.A.C. R18-6-102, R18-6-106.</u> |
| <u>108. Active ingredient or pesticide criticality determination.</u> <u>A.R.S. §49-302(F).</u> <u>A.A.C. R18-6-102(B).</u> | <u>21</u> | <u>41</u> | <u>No</u> | <u>A.A.C. R18-6-102.</u> |
| <u>109. Pesticide addition or deletion to groundwater protection list approval.</u> <u>A.R.S. §49-305(A).</u> <u>A.A.C. R18-6-105(D).</u> | <u>21</u> | <u>41</u> | <u>No</u> | <u>A.A.C. R18-6-105(D).</u> |

Table 11: Surface Water Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR</u> | <u>SR</u> | <u>Subject</u> | <u>Application Components</u> |
|-------------------------|-------------|-------------|------------------|-------------------------------|
| | <u>TF</u> | <u>TF</u> | <u>to</u> | |
| | <u>Days</u> | <u>Days</u> | <u>Sanctions</u> | |

Group I: Clean Water Act (CWA) § 401 certification licenses:

| | | | | |
|---|-----------|-----------|-----------|--|
| <u>1. CWA § 401 state certification of a proposed CWA § 402 NPDES permit.</u> <u>A.R.S. § 49-202.</u> | <u>21</u> | <u>42</u> | <u>No</u> | <u>A.R.S. § 49-202.</u> <u>Public notice of underlying proposed permit and Department application form required.</u> |
| <u>2. CWA § 401 state certification of a proposed CWA § 404 permit.</u> <u>A.R.S. § 49-202.</u> | <u>21</u> | <u>42</u> | <u>No</u> | <u>A.R.S. § 49-202, 33 U.S.C. § 1341(a).</u> <u>Public notice of underlying proposed permit and Department application form required.</u> |
| <u>3. CWA § 401 state certification of a proposed nonpoint source activity for a federal permit.</u> <u>A.R.S. § 49-202.</u> | <u>5</u> | <u>32</u> | <u>No</u> | <u>A.R.S. § 49-202.</u> <u>Department application form required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 12: Solid Waste Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Solid waste variance licenses: | | | | |
| 1. <u>Rule or standard variance request.</u> <u>A.R.S. § 49-763.01.</u> | <u>21</u> | <u>41</u> | <u>No</u> | <u>A.A.C. R18-8-1122(B). R18-13-510.</u> <u>Department application form required.</u> |
| Group II: Land application of biosolids licenses: | | | | |
| 2. <u>Biosolid applicator registration request</u> <u>acknowledgment.</u> <u>A.R.S. § 49-761(F).</u> <u>A.A.C. R18-13-1504(A).</u> | <u>11</u> | <u>0</u> | <u>No</u> | <u>A.A.C. R18-13-1504(C).</u> <u>Department application form required.</u> |
| Group III: Nonlandfill solid waste facility individual discharging aquifer protection (AP) licenses: | | | | |
| 3. <u>Standard nonlandfill solid waste discharging facility</u> <u>AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 4. <u>Standard nonlandfill solid waste discharging facility</u> <u>AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 5. <u>Complex nonlandfill solid waste discharging facility</u> <u>AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 6. <u>Complex nonlandfill solid waste discharging facility</u> <u>AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 7. <u>Standard nonlandfill solid waste discharging facility</u> <u>AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 8. <u>Standard nonlandfill solid waste discharging facility</u> <u>AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 9. <u>Complex nonlandfill solid waste discharging facility</u> <u>AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 12 (Continued): Solid Waste Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Nonlandfill solid waste individual discharging aquifer protection (AP) licenses: | | | | |
| 10. <u>Complex nonlandfill solid waste discharging facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 11. <u>Standard nonlandfill solid waste discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |
| 12. <u>Complex nonlandfill solid waste discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 13. <u>Nonlandfill solid waste discharging facility AP permit transfer approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial required.</u> |
| 14. <u>Nonlandfill solid waste discharging facility AP closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 15. <u>Standard nonlandfill solid waste discharging facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 16. <u>Complex nonlandfill solid waste discharging facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>125</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 17. <u>Nonlandfill solid waste VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| 18. <u>Nonlandfill solid waste VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |

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Table 13: Special Waste Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Special waste identification number licenses: | | | | |
| 1. <u>Special waste generator identification number.</u> <u>A.R.S. §§ 49-762 and 49-857.</u> <u>A.A.C. R18-8-302(A).</u> | <u>11</u> | <u>10</u> | <u>No</u> | <u>A.A.C. R18-8-302(A).</u> <u>Department application form required.</u> |
| 2. <u>Special waste shipper identification number.</u> <u>A.R.S. §§ 49-762 and 49-857.</u> <u>A.A.C. R18-8-303(A).</u> | <u>11</u> | <u>10</u> | <u>No</u> | <u>A.A.C. R18-8-303(A).</u> <u>Department application form required.</u> |
| 3. <u>Special waste receiving facility identification number.</u> <u>A.R.S. §§ 49-762 and 49-857.</u> <u>A.A.C. R18-8-304(A).</u> | <u>11</u> | <u>10</u> | <u>No</u> | <u>A.A.C. R18-8-304(A).</u> <u>Department application form required.</u> |
| Group II: Special waste licenses: | | | | |
| 4. <u>Waste from shredding motor vehicles alternative</u> <u>sampling plan approval.</u> <u>A.R.S. §§ 49-762 and 49-857.</u> <u>A.A.C. R18-8-307(A).</u> | <u>5</u> | <u>5</u> | <u>Yes</u> | <u>A.A.C. R18-8-307(A).</u> <u>Initial fee required.</u> |
| 5. <u>Special waste temporary treatment facility approval.</u> <u>A.R.S. §§ 49-762 and 49-857.</u> <u>A.A.C. R18-8-1610.</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-8-1607 and R18-13-403.</u> |
| Group III: Special waste facility plan licenses: | | | | |
| 6. <u>Standard existing special waste facility plan approval.</u> <u>A.R.S. § 49-762.03(A)(2).</u> | <u>32</u> | <u>124</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 7. <u>Complex existing special waste facility plan approval.</u> <u>A.R.S. § 49-762.03(A)(2).</u> | <u>32</u> | <u>165</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 8. <u>Standard new special waste facility plan approval with</u> <u>no public hearing.</u> <u>A.R.S. § 49-762.03(A)(1).</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 9. <u>Standard new special waste facility plan approval with</u> <u>a public hearing.</u> <u>A.R.S. § 49-762.03(A)(1).</u> | <u>32</u> | <u>124</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| 10. <u>Complex new special facility plan approval with no</u> <u>public hearing.</u> <u>A.R.S. § 49-762.03(A)(1).</u> | <u>32</u> | <u>103</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |

Arizona Administrative Register
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Table 13 (Continued): Special Waste Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Special waste facility plan licenses: | | | | |
| <u>11. Complex new special facility plan approval with a public hearing.</u> <u>A.R.S. § 49-762.03(A)(1).</u> | <u>32</u> | <u>165</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614. Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>12. New special waste facility operation temporary authorization.</u> <u>A.R.S. § 49-762.03(C).</u> | <u>21</u> | <u>41</u> | <u>No</u> | <u>A.R.S. § 49-762.03(C).</u> <u>Site inspection required.</u> |
| Group IV: Special waste facility amendment licenses: | | | | |
| <u>13. Special waste facility plan type III substantial change.</u> <u>A.R.S. § 49-762.06(B).</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614. Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>14. Special waste facility plan type IV substantial change with no public hearing.</u> <u>A.R.S. § 49-762.06(B).</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614. Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>15. Special waste facility plan type IV substantial change with a public hearing.</u> <u>A.R.S. § 49-762.06(B).</u> | <u>21</u> | <u>62</u> | <u>Yes</u> | <u>A.A.C. R18-8-307 and R18-8-1601 through R18-8-1614. Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group V: Special waste discharging facility individual discharging aquifer protection (AP) licenses: | | | | |
| <u>16. Standard special waste discharging facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>17. Standard special waste discharging facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>18. Complex special waste discharging facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>19. Complex special waste discharging facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

Arizona Administrative Register
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Table 13 (Continued): Special Waste Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| Group V (Continued): Special waste discharging facility individual discharging aquifer protection (AP) licenses: | | | | |
| <u>20. Standard special waste discharging facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>21. Standard special waste discharging facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>232</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>22. Complex special waste discharging facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>23. Complex special waste discharging facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>295</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>24. Standard special waste discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>186</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>25. Complex special waste discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>35</u> | <u>249</u> | <u>Yes</u> | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>26. Special waste discharging facility AP permit transfer approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>32</u> | <u>Yes</u> | <u>A.A.C. R18-9-121(E).</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form and initial fee required.</u> |
| <u>27. Special waste discharging facility AP closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>28. Standard special waste discharging facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>29. Complex special waste discharging facility AP post-closure plan approval.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | <u>21</u> | <u>125</u> | <u>Yes</u> | <u>A.A.C. R18-9-116.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |

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Table 13 (Continued): Special Waste Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR</u> | <u>SR</u> | <u>Subject</u> |
|-------------------------|-------------|-------------|-------------------------------|
| | <u>TF</u> | <u>TF</u> | <u>to</u> |
| | <u>Days</u> | <u>Days</u> | <u>Sanctions</u> |
| | | | <u>Application Components</u> |

Group V (Continued): Special waste discharging facility individual discharging aquifer protection (AP) licenses:

| | | | | |
|---|-----------|-----------|------------|--|
| <u>30. Special waste VEMUR approval.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> |
| <u>A.R.S. § 49-152(B).</u> | | | | <u>Department application form and initial fee required.</u> |
| <u>A.A.C. R18-7-207.</u> | | | | |
| <u>31. Special waste VEMUR cancellation approval.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> |
| <u>A.R.S. § 49-152(C).</u> | | | | <u>Department application form and initial fee required.</u> |
| <u>A.A.C. R18-7-207.</u> | | | | |

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Table 14: Landfill Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Solid waste landfill facility plan licenses: | | | | |
| <u>1. Standard existing landfill facility plan approval.</u> <u>A.R.S. §§ 49-761(B) and 49-762.07(E).</u> | <u>32</u> | <u>124</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>2. Complex existing landfill facility plan approval with a</u> <u>public hearing.</u> <u>A.R.S. §§ 49-761(B) and 49-762.07(E).</u> | <u>32</u> | <u>165</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>3. Standard new landfill facility plan approval with no</u> <u>public hearing.</u> <u>A.R.S. §§ 49-761(B) and 49-762.07(E).</u> | <u>32</u> | <u>62</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>4. Standard new landfill facility plan approval with a</u> <u>public hearing.</u> <u>A.R.S. §§ 49-761(B) and 49-762.07(E).</u> | <u>32</u> | <u>124</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>5. Complex new landfill facility plan approval with no</u> <u>public hearing.</u> <u>A.R.S. §§ 49-761(B) and 49-762.07(E).</u> | <u>32</u> | <u>103</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>6. Complex new landfill facility plan approval with a</u> <u>public hearing.</u> <u>A.R.S. §§ 49-761(B) and 49-762.07(E).</u> | <u>32</u> | <u>165</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>7. New landfill operation temporary authorization.</u> <u>A.R.S. § 49-762.03(C).</u> | <u>21</u> | <u>41</u> | <u>No</u> | <u>A.R.S. § 49-762.03(C).</u> |
| Group II: Solid waste landfill facility amendment licenses: | | | | |
| <u>8. Solid waste facility plan type III substantial change</u> <u>(landfill).</u> <u>A.R.S. § 49-762.06(B).</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application, site inspection, form</u> <u>required.</u> |
| <u>9. Solid waste facility plan type IV substantial change</u> <u>(landfill) with no public hearing.</u> <u>A.R.S. § 49-762.06(B).</u> | <u>21</u> | <u>41</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application, site inspection, form</u> <u>required.</u> |
| <u>10. Solid waste facility plan type IV substantial change</u> <u>(landfill) with a public hearing.</u> <u>A.R.S. § 49-762.06(B).</u> | <u>21</u> | <u>62</u> | <u>Yes</u> | <u>40 C.F.R. § 257, 40 C.F.R. § 258.</u> <u>Fee: R18-13-701 through R18-13-703.</u> <u>Department application, site inspection, form</u> <u>required.</u> |

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Table 14 (Continued): Landfill Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group III: Landfill facility individual discharging aquifer protection (AP) licenses: | | | | |
| 11. <u>Standard landfill discharging facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 186 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 12. <u>Standard landfill discharging facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 232 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 13. <u>Complex landfill discharging facility AP new permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 249 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 14. <u>Complex landfill discharging facility AP new permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 295 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 15. <u>Standard landfill discharging facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 186 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 16. <u>Standard landfill discharging facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 232 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 17. <u>Complex landfill discharging facility AP major modification permit with no public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 249 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 18. <u>Complex landfill discharging facility AP major modification permit with a public hearing.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 295 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 19. <u>Standard landfill discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 186 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 20. <u>Complex landfill discharging facility AP other modification permit.</u> <u>A.R.S §§ 49-241 through 49-251.</u> <u>A.A.C. R18-9-101 through R18-9-130.</u> | 35 | 249 | Yes | <u>A.A.C. R18-9-107 through R18-9-109.</u> <u>Fee: R18-14-101 through R18-14-108.</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 14 (Continued): Landfill Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group IV (Continued): Landfill discharging facility individual discharging aquifer protection (AP) licenses: | | | | |
| 21. Landfill discharging facility AP permit transfer approval. A.R.S. §§ 49-241 through 49-251. A.A.C. R18-9-101 through R18-9-130. | 21 | 32 | Yes | A.A.C. R18-9-121(E). Fee: R18-14-101 through R18-14-108. Department application form and initial fee required. |
| 22. Landfill discharging facility AP closure plan approval. A.R.S. §§ 49-241 through 49-251. A.A.C. R18-9-101 through R18-9-130. | 21 | 41 | Yes | A.A.C. R18-9-116. Fee: R18-14-101 through R18-14-108. Department application form, site inspection, and initial fee required. |
| 23. Standard landfill discharging facility AP post-closure plan approval. A.R.S. §§ 49-241 through 49-251. A.A.C. R18-9-101 through R18-9-130. | 21 | 41 | Yes | A.A.C. R18-9-116. Fee: R18-14-101 through R18-14-108. Department application form required. |
| 24. Complex landfill discharging facility AP post-closure plan approval. A.R.S. §§ 49-241 through 49-251. A.A.C. R18-9-101 through R18-9-130. | 21 | 125 | Yes | A.A.C. R18-9-116. Fee: R18-14-101 through R18-14-108. Department application form required. |

Table 16: Waste Tire, Lead Acid Battery, and Used Oil Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Waste tire licenses: | | | | |
| 1. Waste tire collection site registration. A.R.S. § 44-1303. | 11 | 21 | No | A.A.C. R18-8-302(A). Department application form required. |
| 2. Mining off-road waste tire collection facility license. A.R.S. § 44-1304. A.A.C. R18-8-511, R18-8-706. | 32 | 62 | No | A.R.S. § 44-1304. |
| Group II: Lead acid battery licenses: | | | | |
| 3. Lead battery collection or recycling facility authorization. A.R.S. § 44-1322(C). | 32 | 62 | No | A.R.S. § 49-857.01(A). Department application form required. |
| Group III: Used oil licenses: | | | | |
| 4. Used oil collection center registration number. A.R.S. § 49-802(C)(1). | 11 | 21 | No | A.R.S. § 49-802(C)(1). |

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Table 17: Hazardous Waste Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| Group I: Resource Conservation and Recovery Act (RCRA) new and renewal licenses: | | | | |
| 1. <u>Hazardous waste container or tank permit with no public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>251</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.16, and 270.27, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 2. <u>Hazardous waste container or tank permit with a public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>293</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.16, and 270.27, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 3. <u>Hazardous waste surface impoundment permit with no public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>376</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, 270.17, and 270.27, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 4. <u>Hazardous waste surface impoundment permit with a public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>418</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, 270.17, and 270.27, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 5. <u>Hazardous waste pile permit with no public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>376</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, and 270.18, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 6. <u>Hazardous waste pile permit with a public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>418</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, and 270.18, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 7. <u>Hazardous waste incinerator or burning boiler and industrial furnace (BIF) permit with no public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>502</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, 270.19, 270.22, 270.62, and 270.66, Fee: A.A.C. R18-8-270(G).</u> <u>EPA 8700-23, Department application form, site inspection, and initial fee required.</u> |
| 8. <u>Hazardous waste incinerator or burning boiler and industrial furnace (BIF) permit with a public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>544</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, 270.19, 270.22, 270.62, and 270.66, EPA 8700-23.</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 9. <u>Hazardous waste land treatment permit with no public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>376</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, and 270.20, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| 10. <u>Hazardous waste land treatment permit with a public hearing.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>418</u> | <u>Yes</u> | <u>40 C.F.R. §§ 270.10-270.14, and 270.20, EPA 8700-23, Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |

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Table 17 (Continued): Hazardous Waste Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group I (Continued): Resource Conservation and Recovery Act (RCRA) new and renewal licenses: | | | | |
| 11. Hazardous waste landfill facility permit with no public hearing. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 502 | Yes | 40 C.F.R. §§ 270.10-270.14, and 270.21, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 12. Hazardous waste landfill facility permit with a public hearing. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 544 | Yes | 40 C.F.R. §§ 270.10-270.14, and 270.21, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 13. Hazardous waste miscellaneous unit permit with no public hearing. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 376 | Yes | 40 C.F.R. §§ 270.10-270.14, and 270.23, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 14. Hazardous waste miscellaneous unit permit with a public hearing. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 418 | Yes | 40 C.F.R. §§ 270.10-270.14, and 270.23, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 15. Hazardous waste drip pad permit with no public hearing. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 376 | Yes | 40 C.F.R. §§ 270.10-270.14, 270.26, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 16. Hazardous waste drip pad permit with a public hearing. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 418 | Yes | 40 C.F.R. §§ 270.10-270.14, 270.26, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 17. Hazardous waste emergency permit. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 10 | 84 | No | 40 C.F.R. § 270.61, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form and site inspection required. |
| 18. Hazardous waste land treatment demonstration using field test or laboratory analysis permit. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 376 | Yes | 40 C.F.R. § 270.63, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 19. Hazardous waste research, development, and demonstration permit. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270(O).</u> | 84 | 376 | Yes | 40 C.F.R. § 270.65, EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form, site inspection, and initial fee required. |
| 20. Hazardous waste temporary authorization request approval. <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | 84 | 84 | No | 40 C.F.R. § 270.42(e), EPA 8700-23, Fee: A.A.C. R18-8-270(G). Department application form and site inspection required. |

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Table 17 (Continued): Hazardous Waste Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group II: Resource Conservation and Recovery Act (RCRA) modification licenses: | | | | |
| <u>21. Hazardous waste permit transfer approval.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>125</u> | <u>Yes</u> | <u>40 C.F.R. § 270.40.</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>22. Hazardous waste Class 1 permit modification.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>125</u> | <u>Yes</u> | <u>40 C.F.R. § 270.42(a).</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>23. Hazardous waste Class 2 permit modification.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>376</u> | <u>Yes</u> | <u>40 C.F.R. § 270.42(b).</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>24. Hazardous waste Class 3 incinerator, BIF, or landfill</u> <u>permit modification.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>502</u> | <u>Yes</u> | <u>40 C.F.R. § 270.42(c).</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>25. Hazardous waste Class 3 other permit modification.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>376</u> | <u>Yes</u> | <u>40 C.F.R. § 270.42(c).</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>26. Hazardous waste permit modification classification</u> <u>request.</u> <u>A.R.S. § 49-922.</u> <u>A.A.C. R18-8-270.</u> | <u>84</u> | <u>125</u> | <u>Yes</u> | <u>40 C.F.R. § 270.42(d).</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| Group III: Hazardous waste closure plan licenses: | | | | |
| <u>27. Hazardous waste interim status facility partial closure</u> <u>plan approval.</u> <u>A.R.S. § 49-922.</u> | <u>84</u> | <u>95</u> | <u>Yes</u> | <u>40 C.F.R. §§ 264 Subpart G and 265 Subpart G.</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>28. Hazardous waste interim status facility final closure</u> <u>plan approval.</u> <u>A.R.S. § 49-922.</u> | <u>84</u> | <u>95</u> | <u>Yes</u> | <u>40 C.F.R. §§ 264 Subpart G and 265 Subpart G.</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |
| <u>29. Hazardous waste post-closure permit with no public</u> <u>hearing.</u> <u>A.R.S. § 49-922.</u> | <u>84</u> | <u>376</u> | <u>Yes</u> | <u>40 C.F.R. § 270.1(c).</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and</u> <u>initial fee required.</u> |

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Table 17 (Continued): Hazardous Waste Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR</u> | <u>SR</u> | <u>Subject</u> | <u>Application Components</u> |
|---|-------------|-------------|------------------|--|
| | <u>TF</u> | <u>TF</u> | <u>to</u> | |
| | <u>Days</u> | <u>Days</u> | <u>Sanctions</u> | |
| Group III (Continued): Hazardous waste closure plan licenses: | | | | |
| 30. <u>Hazardous waste post-closure permit with a public hearing.</u> <u>A.R.S. § 49-922.</u> | <u>84</u> | <u>418</u> | <u>Yes</u> | <u>40 C.F.R. § 270.1(c).</u> <u>Fee: A.A.C. R18-8-270(G).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| Group IV: Hazardous waste voluntary environmental mitigation use restriction (VEMUR) licenses: | | | | |
| 31. <u>Hazardous waste VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-2-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Fee: A.A.C. R18-14-101 through R18-14-108.</u> <u>Initial fee required.</u> |
| 32. <u>Hazardous waste VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-2-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Fee: A.A.C. R18-14-101 through R18-14-108.</u> <u>Initial fee required.</u> |

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Table 18: Underground Storage Tank Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|--|
| <u>Group I: Underground Storage Tank (UST) technical requirement license.</u> | | | | |
| <u>1. UST temporary closure extension request approval.</u> <u>A.R.S. § 49-1008.</u> <u>A.A.C. R18-12-270.</u> | <u>42</u> | <u>84</u> | <u>No</u> | <u>A.A.C. R18-12-270(F)-(G).</u> <u>Department application form required.</u> |
| <u>Group II: Underground Storage Tank (UST) service provider licenses.</u> | | | | |
| <u>2. UST installation and retrofit service provider</u> <u>certification. A.R.S. § 49-1082.</u> <u>A.A.C. R18-12-803(1).</u> | <u>11</u> | <u>11</u> | <u>No</u> | <u>A.A.C. R18-12-806.</u> <u>Department application form required.</u> |
| <u>3. UST tightness testing service provider certification.</u> <u>A.R.S. § 49-1082.</u> <u>A.A.C. R18-12-803(2).</u> | <u>11</u> | <u>11</u> | <u>No</u> | <u>A.A.C. R18-12-806.</u> <u>Department application form required.</u> |
| <u>4. UST cathodic protection testing service provider</u> <u>certification. A.R.S. § 49-1082.</u> <u>A.A.C. R18-12-803(3).</u> | <u>11</u> | <u>11</u> | <u>No</u> | <u>A.A.C. R18-12-806.</u> <u>Department application form required.</u> |
| <u>5. UST decommissioning service provider certification.</u> <u>A.R.S. § 49-1082.</u> <u>A.A.C. R18-12-803(4).</u> | <u>11</u> | <u>11</u> | <u>No</u> | <u>A.A.C. R18-12-806.</u> <u>Department application form required.</u> |
| <u>6. UST interior lining service provider certification.</u> <u>A.R.S. § 49-1082.</u> <u>A.A.C. R18-12-803(5).</u> | <u>11</u> | <u>11</u> | <u>No</u> | <u>A.A.C. R18-12-806.</u> <u>Department application form required.</u> |
| <u>Group III: Leaking Underground Storage Tank (LUST) licenses.</u> | | | | |
| <u>7. Standard LUST corrective action plan approval with</u> <u>no public meeting.</u> <u>A.R.S. § 49-1005.</u> | <u>42</u> | <u>146</u> | <u>No</u> | <u>40 C.F.R. §§ 280.66 and 280.67.</u> |
| <u>8. Standard LUST corrective action plan approval with a</u> <u>public meeting.</u> <u>A.R.S. § 49-1005.</u> | <u>42</u> | <u>209</u> | <u>No</u> | <u>40 C.F.R. §§ 280.66 and 280.67.</u> |
| <u>9. Complex LUST corrective action plan approval with</u> <u>no public meeting.</u> <u>A.R.S. § 49-1005.</u> | <u>42</u> | <u>209</u> | <u>No</u> | <u>40 C.F.R. §§ 280.66 and 280.67.</u> |
| <u>10. Complex LUST corrective action plan approval with</u> <u>a public meeting.</u> <u>A.R.S. § 49-1005.</u> | <u>42</u> | <u>272</u> | <u>No</u> | <u>40 C.F.R. §§ 280.66 and 280.67.</u> |
| <u>11. LUST VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>No</u> | <u>A.A.C. R18-7-207.</u> |

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Table 18 (Continued): Underground Storage Tank Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR</u> | <u>SR</u> | <u>Subject</u> | |
|---|-------------|-------------|------------------|--|
| | <u>TF</u> | <u>TF</u> | <u>to</u> | |
| | <u>Days</u> | <u>Days</u> | <u>Sanctions</u> | <u>Application Components</u> |
| <u>Group III (Continued): Leaking Underground Storage Tank (LUST) licenses.</u> | | | | |
| <u>12. LUST VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>No</u> | <u>A.A.C. R18-7-207.</u> |
| <u>Group IV: State assurance fund (SAF) licenses.</u> | | | | |
| <u>13. SAF firm pre-qualification approval.</u> <u>A.R.S. § 49-1052(D).</u> <u>A.A.C. R18-12-602.</u> | <u>11</u> | <u>42</u> | <u>No</u> | <u>A.A.C. R18-12-602.</u> <u>Department application form required.</u> |
| <u>14. SAF pre-approval approval.</u> <u>A.R.S. § 49-1052.</u> <u>A.A.C. R18-12-607 and R18-12-607.01.</u> | <u>21</u> | <u>42</u> | <u>No</u> | <u>A.A.C. R18-12-601, R18-12-607, and R18-12-607.01.</u> <u>Department application form required.</u> |
| <u>15. SAF direct payment approval.</u> <u>A.R.S. §§ 49-1052 and 49-1054.</u> <u>A.A.C. R18-12-607 and R18-12-607.01.</u> | <u>21</u> | <u>21</u> | <u>No</u> | <u>A.A.C. R18-12-601, R18-12-607, and R18-12-607.01(N) through R18-12-607.01(Q).</u> <u>Department application form required.</u> |
| <u>16. Standard SAF reimbursement approval.</u> <u>A.R.S. § 49-1052.</u> <u>A.A.C. R18-12-604 and R18-12-605.</u> | <u>42</u> | <u>84</u> | <u>No</u> | <u>A.A.C. R18-12-601, R18-12-604, and R18-12-605.</u> <u>Department application form required.</u> |
| <u>17. Complex SAF reimbursement approval.</u> <u>A.R.S. § 49-1052.</u> <u>A.A.C. R18-12-604 and R18-12-605.</u> | <u>42</u> | <u>167</u> | <u>No</u> | <u>A.A.C. R18-12-601, R18-12-604, and R18-12-605.</u> <u>Department application form required.</u> |

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Table 19: WOARF Remediation Licenses Issued by the Phoenix Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|---|
| 1. <u>WOARF preliminary investigation work plan approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.01.</u> <u>A.A.C. R18-7-108.</u> | 21 | 63 | No | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.01.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| 2. <u>WOARF remedial investigation work plan approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108.</u> | 21 | 63 | No | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| 3. <u>WOARF feasibility study work plan approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108.</u> | 21 | 63 | No | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| 4. <u>WOARF standard remedial action plan (RAP)</u> <u>approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108.</u> | 21 | 105 | No | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| 5. <u>WOARF complex remedial action plan (RAP)</u> <u>approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108.</u> | 21 | 146 | No | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| 6. <u>WOARF determination of no further action (DNFA)</u> <u>approval.</u> <u>A.R.S. § 49-287.01(F).</u> | 42 | 84 | No | <u>A.R.S. §§ 49-287.01(F) and 49-287.01(G).</u> <u>Site inspection required.</u> |
| 7. <u>WOARF site rescoring approval.</u> <u>A.R.S. § 49-287.01(F).</u> | 21 | 42 | No | <u>A.R.S. § 49-287.01(F).</u> <u>Site inspection required.</u> |
| 8. <u>WOARF qualified business settlement approval.</u> <u>A.R.S. § 49-292.01(A).</u> | 21 | 42 | No | <u>A.R.S. § 49-292.01(B).</u> <u>Department application form required.</u> |
| 9. <u>WOARF financial hardship settlement approval.</u> <u>A.R.S. § 49-292.02(A).</u> | 21 | 42 | No | <u>A.R.S. § 49-292.02(B).</u> |
| 10. <u>WOARF VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | 15 | 47 | No | <u>A.A.C. R18-2-207.</u> <u>Department application form required.</u> |
| 11. <u>WOARF VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | 15 | 27 | No | <u>A.A.C. R18-2-207.</u> <u>Department application form required.</u> |

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Table 19-S: WOARF Remediation Licenses Issued by the Southern Regional Office
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| <u>1. WOARF preliminary investigation work plan approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.01.</u> <u>A.A.C. R18-7-108.</u> | <u>21</u> | <u>63</u> | <u>No</u> | <u>A.R.S. §§ 49-151, 49-152, 49-282.06, and 49-287.01.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| <u>2. WOARF remedial investigation work plan approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108.</u> | <u>21</u> | <u>63</u> | <u>No</u> | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| <u>3. WOARF feasibility study work plan approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108.</u> | <u>21</u> | <u>63</u> | <u>No</u> | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.03.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| <u>4. WOARF standard remedial action plan (RAP)</u> <u>approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108.</u> | <u>21</u> | <u>105</u> | <u>No</u> | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| <u>5. WOARF complex remedial action plan (RAP)</u> <u>approval.</u> <u>A.R.S. §§ 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108.</u> | <u>21</u> | <u>146</u> | <u>No</u> | <u>A.R.S. §§ 49-151, 49-152, 49-282.06 and 49-287.04.</u> <u>A.A.C. R18-7-108, R18-7-109, and R18-7-201</u> <u>through R18-7-209.</u> <u>Site inspection required.</u> |
| <u>6. WOARF determination of no further action (DNFA)</u> <u>approval.</u> <u>A.R.S. § 49-287.01(F).</u> | <u>42</u> | <u>84</u> | <u>No</u> | <u>A.R.S. §§ 49-287.01(F) and 49-287.01(G).</u> <u>Site inspection required.</u> |
| <u>7. Reserved.</u> | | | | |
| <u>8. Reserved.</u> | | | | |
| <u>9. Reserved.</u> | | | | |
| <u>10. WOARF VEMUR approval.</u> <u>A.R.S. § 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>No</u> | <u>A.A.C. R18-2-207.</u> <u>Department application form required.</u> |
| <u>11. WOARF VEMUR cancellation approval.</u> <u>A.R.S. § 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>No</u> | <u>A.A.C. R18-2-207.</u> <u>Department application form required.</u> |

Arizona Administrative Register
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Table 20: Voluntary Program Remediation Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame
SRTF means Substantive Review Time Frame
Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group I: Voluntary program acceptance license: | | | | |
| 1. Voluntary program eligibility determination. A.R.S. §§ 49-104(A)(17) and 49-282.05. | 21 | 21 | No | A.R.S. §§ 49-104(A)(17) and 49-282.05. |
| Group II: Voluntary program WOARF remediation licenses: | | | | |
| 2. Voluntary program WOARF remedial investigation work plan approval. A.R.S. §§ 49-282.05, 49-282.06, and 49-287.03. | 21 | 63 | Yes | A.R.S. §§ 49-151, 49-152, 282.06, and 49-287.03. A.A.C. R18-7-108, R18-7-109. Fee: R18-7-201 through R18-7-209. Department application form, site inspection, and initial fee required. |
| 3. Voluntary program WOARF feasibility study work plan approval. A.R.S. §§ 49-282.05, 49-282.06, and 49-287.03. | 21 | 63 | Yes | A.R.S. §§ 49-151, 49-152, 282.06, and 49-287.03. A.A.C. R18-7-108, R18-7-109. Fee: R18-7-201 through R18-7-209. Department application form, site inspection, and initial fee required. |
| 4. Voluntary program WOARF standard remedial action plan (RAP) approval. A.R.S. §§ 49-282.05, 49-282.06, and 49-287.04. | 21 | 105 | Yes | A.R.S. §§ 49-151, 49-152, 282.06, and 49-287.03. A.A.C. R18-7-108, R18-7-109. Fee: R18-7-201 through R18-7-209. Department application form, site inspection, and initial fee required. |
| 5. Voluntary program WOARF complex remedial action plan (RAP) approval. A.R.S. §§ 49-282.05, 49-282.06, and 49-287.04. | 21 | 146 | Yes | A.R.S. §§ 49-151, 49-152, 282.06, and 49-287.04. A.A.C. R18-7-108, R18-7-109. Fee: R18-7-201 through R18-7-209. Department application form, site inspection, and initial fee required. |
| 6. Voluntary program WOARF letter of completion approval. A.R.S. § 49-285(B). | 42 | 84 | Yes | A.R.S. §§ 49-282.06 and 49-285(B). Fee: R18-7-201 through R18-7-209. Department application form, site inspection, and initial fee required. |
| 7. Voluntary program WOARF VEMUR approval. A.R.S. § 49-152(B). A.A.C. R18-7-207. | 15 | 47 | Yes | A.A.C. R18-7-207. Fee: R18-7-201 through R18-7-209. Department application form and initial fee required. |
| 8. Voluntary program WOARF VEMUR cancellation approval. A.R.S. § 49-152(C). A.A.C. R18-7-207. | 15 | 27 | Yes | A.A.C. R18-7-207. Fee: R18-7-201 through R18-7-209. Department application form and initial fee required. |
| Group III: Voluntary program nonlandfill solid waste remediation licenses. | | | | |
| 9. Voluntary program standard nonlandfill solid waste remediation work plan approval. A.R.S. § 49-104(A)(17). | 21 | 63 | Yes | A.R.S. § 49-104(A)(17). Department application form, site inspection, and initial fee required. |

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Table 20 (Continued): Voluntary Program Remediation Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|--|----------------------------|---------------------------|-------------------------------------|--|
| Group III (Continued): Voluntary program nonlandfill solid waste remediation licenses. | | | | |
| <u>10. Voluntary program complex nonlandfill solid waste remedial work plan approval.</u> <u>A.R.S. § 49-104(A)(17).</u> | <u>21</u> | <u>84</u> | <u>Yes</u> | <u>A.R.S. § 49-104(A)(17).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>11. Voluntary program nonlandfill solid waste VEMUR approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| <u>12. Voluntary program nonlandfill solid waste VEMUR cancellation approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group IV: Voluntary program special waste remediation licenses. | | | | |
| <u>13. Voluntary program standard special waste remediation work plan approval.</u> <u>A.R.S. § 49-104(A)(17).</u> | <u>21</u> | <u>63</u> | <u>Yes</u> | <u>A.R.S. § 49-104(A)(17).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>14. Voluntary program complex special waste remediation work plan approval.</u> <u>A.R.S. § 49-104(A)(17).</u> | <u>21</u> | <u>84</u> | <u>Yes</u> | <u>A.R.S. § 49-104(A)(17).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>15. Voluntary program special waste VEMUR approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| <u>16. Voluntary program special waste VEMUR cancellation approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group V: Voluntary program hazardous waste remediation licenses. | | | | |
| <u>17. Voluntary program standard hazardous waste remediation work plan approval.</u> <u>A.R.S. § 49-104(A)(17).</u> | <u>21</u> | <u>63</u> | <u>Yes</u> | <u>A.R.S. § 49-104(A)(17).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>18. Voluntary program complex hazardous waste remediation work plan approval.</u> <u>A.R.S. § 49-104(A)(17).</u> | <u>21</u> | <u>84</u> | <u>Yes</u> | <u>A.R.S. § 49-104(A)(17).</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>19. Voluntary program hazardous waste VEMUR approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |

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Table 20 (Continued): Voluntary Program Remediation Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame
SRTF means Substantive Review Time Frame
Day means business day

| <u>License Category</u> | <u>ACR TF Days</u> | <u>SR TF Days</u> | <u>Subject to Sanctions</u> | <u>Application Components</u> |
|---|----------------------------|---------------------------|-------------------------------------|---|
| Group V (Continued): Voluntary program hazardous waste remediation licenses. | | | | |
| <u>20. Voluntary program hazardous waste VEMUR cancellation approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group VI: Voluntary program leaking underground storage tank (LUST) remediation licenses. | | | | |
| <u>21. Voluntary program standard LUST corrective action plan (CAP) approval with no public meeting.</u> <u>A.R.S. §§ 49-104(17) and 49-1005.</u> | <u>42</u> | <u>146</u> | <u>Yes</u> | <u>A.R.S. § 49-1005.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>22. Voluntary program standard LUST corrective action plan (CAP) approval with a public meeting.</u> <u>A.R.S. §§ 49-104(17) and 49-1005.</u> | <u>42</u> | <u>209</u> | <u>Yes</u> | <u>A.R.S. § 49-1005.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>23. Voluntary program complex LUST corrective action plan (CAP) approval with no public meeting.</u> <u>A.R.S. §§ 49-104(17) and 49-1005.</u> | <u>42</u> | <u>209</u> | <u>Yes</u> | <u>A.R.S. § 49-1005.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>24. Voluntary program complex LUST corrective action plan (CAP) approval with a public meeting.</u> <u>A.R.S. §§ 49-104(17) and 49-1005.</u> | <u>42</u> | <u>272</u> | <u>Yes</u> | <u>A.R.S. § 49-1005.</u> <u>Department application form, site inspection, and initial fee required.</u> |
| <u>25. Voluntary program LUST VEMUR approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(B).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>47</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| <u>26. Voluntary program LUST VEMUR cancellation approval.</u> <u>A.R.S. §§ 49-104(A)(17) and 49-152(C).</u> <u>A.A.C. R18-7-207.</u> | <u>15</u> | <u>27</u> | <u>Yes</u> | <u>A.A.C. R18-7-207.</u> <u>Department application form and initial fee required.</u> |
| Group VII: Voluntary program greenfields remediation license: | | | | |
| <u>27. Voluntary program greenfields notice-to-proceed (NTP) approval.</u> <u>A.R.S. § 49-154(C).</u> | <u>5</u> | <u>5</u> | <u>No</u> | <u>A.R.S. § 49-154(C).</u> <u>Department application form required.</u> |
| Group VIII: Voluntary program brownfields remediation license: | | | | |
| <u>28. Voluntary program brownfields certification.</u> <u>Governor letter to EPA of August 29, 1997, concerning the "designation of the Arizona Department of Environmental Quality as A State Environmental Agency pursuant to Section 198(c)(1)(C)" of the federal Taxpayer Relief Act of 1997.</u> | <u>21</u> | <u>21</u> | <u>No</u> | <u>Section 198(c)(1)(C) of the Taxpayer Relief Act of 1997.</u> <u>Department application form required.</u> |

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 21: Pollution Prevention Licenses
Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR</u> | <u>SR</u> | <u>Subject</u> | <u>Application Components</u> |
|---|-------------|-------------|------------------|-------------------------------|
| | <u>TF</u> | <u>TF</u> | <u>to</u> | |
| | <u>Days</u> | <u>Days</u> | <u>Sanctions</u> | |
| 1. <u>State agency generation level pre-approval.</u> | <u>63</u> | <u>63</u> | <u>No</u> | <u>A.R.S. § 49-972(E).</u> |
| <u>A.R.S. § 49-972(C).</u> | | | | |

Arizona Administrative Register
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Table 22: Multi-Program Licenses

Subject to A.R.S. § 41-1073(A) Licensing Time Frame Requirements

ACRTF means Administrative Completeness Review Time Frame

SRTF means Substantive Review Time Frame

Day means business day

| <u>License Category</u> | <u>ACR</u> | <u>SR</u> | <u>Subject</u> | |
|--|-------------|-------------|------------------|--------------------------------|
| | <u>TF</u> | <u>TF</u> | <u>to</u> | |
| | <u>Days</u> | <u>Days</u> | <u>Sanctions</u> | <u>Application Components</u> |
| <u>1. Airport construction & expansion certificate (air & water).</u> <u>A.R.S. § 49-104.</u> | <u>21</u> | <u>42</u> | <u>No</u> | <u>49 U.S.C. § 2208(7)(A).</u> |